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VOLUME III

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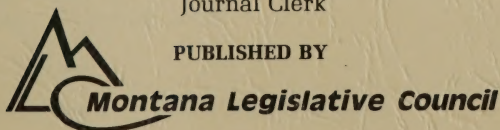
Held in Helena, the Seat of Government
Commencing in Regular Session January 5, 1987
and Ending April 23, 1987

ROBERT L. MARKS
Speaker of the House

BOBBY SPILKER
Chief Clerk of the House

Rosana Winterburn
Journal Clerk

PUBLISHED BY



SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 20, 1987

House Chambers
State Capitol

House convened at 2:20 p.m., Mr. Speaker in the Chair. Invocation by Minister Tom Hansen. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, Phillips, Swift, and the Committee on Appropriations, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/20/87

Correctly printed: HB 377, HB 382, HB 395, HB 436, HB 538, HB 575, HB 726, HB 741, HB 776, HB 782, HB 813, HB 814, HB 816, HB 821, HB 833, HB 863, HB 864, HB 866, HB 867, HJR 42.

Correctly engrossed: HB 84, HB 291, HB 526, HB 658, SB 176, SB 220, SB 288.

Correctly enrolled: HB 134, HB 143, HB 175, HB 183, HB 249, HB 335, HB 345, HB 349, HB 401, HB 411, HB 438, HB 439, HB 507, HB 591, HB 691.

Examined by the sponsor and found to be correct:

HB 335 - Pistoria

Signed by the Speaker at 8:00 p.m., 3/19/87: HB 3, HB 13, HB 21, HB 42, HB 64, HB 67, HB 81, HB 130, HB 267, HB 452.

Delivered to the Governor for his approval at 10:43 a.m.: HB 196, HB 301, HB 408, HB 450, HB 461, HB 536, HB 747, HB 755.

APPROPRIATIONS (Donaldson, Chairman):

3/20/87

HB 373, third reading copy, be amended as follows:

1. Page 2, line 13.

Following: "office"

Insert: "for review and approval"

2. Page 2, line 14.

Following: "FOR"

Strike: "REVIEW AND"

And, as amended, do pass. Report adopted.

HB 538, do pass. Report adopted.

HB 581, do pass. Report adopted.

HB 814, do pass. Report adopted.

HB 864, do pass. Report adopted.

HB 866, do pass. Report adopted.

HB 868, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "June 30, 1988"

Strike: "\$20,500"

Insert: "\$24,500"

2. Page 1, line 16.

Following: "June 30, 1989"

Strike: "20,500"

Insert: "24,500"

And, as amended, do pass. Report adopted.

SB 235, be concurred in. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

3/20/87

HB 854, do pass. Report adopted.**HB 855**, do pass. Report adopted.**HJR 42**, do pass. Report adopted.**SB 250**, be concurred in. Report adopted.**SB 298**, third reading copy, be amended as follows:

1. Page 2, line 19.

Following: "members"

Insert: "who will provide a balance of professional expertise and public interest and accountability and"

2. Page 2, line 20.

Following: "representative of"

Insert: ": (i)"

3. Page 2, line 21.

Following: "community"

Strike: ", "

Insert: ", (ii)"

Following: "business"

Strike: ", "

Insert: ", (iii)"

Following: "agriculture"

Strike: ", "

Insert: ", "

Following: "and"

Insert: "(iv)"

4. Page 2, lines 21 through 23.

Following: "labor" on line 21

Strike: remainder of line 21, line 22 in its entirety, and line 23 through "accountability"

5. Page 3.

Following: line 25, page 2

Insert: "NEW SECTION. Section 2. Advisory board. (1) There is an investment advisory board within the department of commerce.

(2) The advisory board shall provide nonfinancial advice to the board of investments created in [section 1]. The advisory board shall consider long-term goals and methods of implementing those goals from the view point of affected parties, rather than investment specialists, and report its conclusions to the board of investments. The board of investments must consider reports of the advisory board and report to the advisory board whether it approves, disapproves, or will further examine the advisory board's advice.

(3) The advisory board consists of five members appointed by the governor. A member serves a term of 4 years and may not be reappointed. The members shall not be appointed based on financial expertise, but one member shall be appointed from each of the following areas:

- (a) small business;
- (b) agriculture;
- (c) labor;
- (d) economics; and
- (e) local governments.

(4) The members of the advisory board shall elect a chairman from its members. The advisory board shall meet at least two but not more than four times a year. The advisory board may meet any place within the state. Members of the advisory board are entitled to mileage, lodging, and meals, as provided in 2-18-501, for meetings.

(5) The board of investments shall provide clerical assistance to the advisory board and shall pay necessary costs of meeting rooms and member's travel costs."

Renumber: subsequent sections

6. Page 23, line 19.

Strike: "Section"

Insert: "Sections"

Following: "1"

Strike: "is"

Insert: "and 2 are"

7. Page 23, line 21.

Strike: "section"

Insert: "sections"

Following: "1"

Insert: "and 2"

And, as amended, be concurred in. Report adopted.

SB 341, third reading copy, be amended as follows:

1. Page 4, lines 2 and 3.

Strike: "or other consideration"

2. Page 4.

Following: line 12

Insert: "(2) No fee shall be solicited or accepted as an application or registration fee by any employment agency solely for the purpose of being registered as an applicant for employment."

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 360, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

3/20/87

SB 127, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/20/87

SB 51, third reading copy, be amended as follows:

1. Title, lines 10 and 11.

Following: "~~TORTFEASORS~~" on line 10

Strike: remainder of line 10 through "CASES" on line 11

2. Title, line 11.

Following: ":",

Strike: "AND"

Following: "MCA"

Insert: "., AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY PROVISION"

3. Pages 4 and 5.

Following: "~~other.~~" on page 4, line 12

Strike: remainder of line 12 through line 4, page 5

Insert: “(1) In an action involving the negligence of more than one person, the trier of fact shall determine the percentage of negligence attributable to each person whose actions contributed to the damages. Such persons may include but need not be limited to the claimant, injured person, defendants, third-party defendants, persons released from liability by the claimant, persons immune from liability to the claimant, and any other persons who have a defense against the claimant.

(2) Judgment must be entered against each defendant in an amount representing his proportionate share of the claimant’s total damages unless the defendant:

- (a) has been released by the claimant;
- (b) is immune from liability to the claimant; or
- (c) has prevailed against the claimant on any other individual defense.

(3) The liability of a defendant is several only, except that one defendant may be responsible for the fault of another if both acted in concert in contributing to the claimant’s damages or if one defendant acted as an agent of the other.”

4. Page 6.

Strike: lines 5 through 13 in their entirety

5. Page 6.

Following: line 19

Insert: “NEW SECTION. Section 4. Effective date — applicability.

(1) This act is effective July 1, 1987.

(2) This act applies to causes of actions arising on or after July 1, 1987.”

And, as amended, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/19/87

HB 395, introduced bill, be amended as follows:

1. Title, line 7.

Following: “TO”

Strike: remainder of line 7 in its entirety

Insert: “A PERCENTAGE”

2. Page 1, line 18.

Following: “exceed”

Strike: remainder of line 18 in its entirety

Insert: “the percentage”

3. Page 1, line 19.

Following: “property”

Insert: “that existed in the base year 1988”

Following: “.”

Insert: “The state shall adjust market value for each class of property, by county, by the average increases in market value determined by sales data from sales of comparable property.”

4. Page 2.

Following: line 2

Insert: “(5) The limitation on taxes in subsection (2) does not apply to:

- (a) construction, expansion, or remodeling of improvements;
 - (b) subdivision of real property;
 - (c) reclassification of property; or
 - (d) transfer of property from tax-exempt to taxable status.
- (6) The limitation on taxes in subsection (2) does not apply if the taxing unit's taxable valuation decreases by 5% or more from the previous tax year. If a taxing unit's taxable valuation decreases by 5% or more from the previous tax year, it may levy additional mills to compensate for the decreased taxable valuation, but in no case may the mills levied exceed a number calculated to equal the revenue from property taxes for the previous tax year in that taxing unit.
- (7) The limitation on taxes in subsection (2) does not apply if:
- (a) the legislature declares a fiscal emergency by a two-thirds vote of each house;
 - (b) the declaration is specific as to the nature and dollar amount of the emergency and the method by which the emergency should be funded;
 - (c) the emergency is declared before any of the expenses that constitute the emergency request are incurred; and
 - (d) the tax limit is exceeded only during the fiscal year for which the emergency is declared."

And, as amended, do pass. Report adopted.

HB 575, introduced bill, be amended as follows:

- 1. Page 3, line 6.
Following: "each"
Strike: "levy category"
Insert: "taxing unit"
- 2. Page 3, line 7.
Following: "each"
Strike: "levy category"
Insert: "taxing unit"
- 3. Page 3, line 9.
Following: "each"
Strike: "levy category"
Insert: "taxing unit"
- 4. Page 4, lines 23 and 24.
Strike: "levy category"
Insert: "taxing unit"
- 5. Page 5, lines 12 and 13.
Strike: "levy category"
Insert: "taxing unit"
Following: "year"
Insert: "unless the taxing unit's taxable valuation decreases by 5% or more from the previous tax year. If a taxing unit's taxable valuation decreases by 5% or more from the previous tax year, it may levy additional mills to compensate for the decreased taxable valuation, but in no case may the mills levied exceed a number calculated to

equal the revenue from property taxes for the 1986 tax year in that taxing unit.”

6. Page 5.

Following: line 22

Insert: “(e) tax increment financing districts;”

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 776, introduced bill, be amended as follows:

3/18/87

1. Title, line 4.

Following: “EXEMPT”

Insert: “CERTAIN”

2. Title, line 7.

Following: “TAXES;”

Insert: “TO LOWER THE SEVERANCE TAX RATE TO 3 PERCENT FOR CERTAIN STRIPPER WELLS;”

3. Title, line 8.

Following: “15-23-612,”

Insert: “15-36-101,”

4. Title, line 9.

Following: “EFFECTIVE DATE”

Strike: “AND”

Insert: “,”

Following: “APPLICABILITY DATE”

Insert: “, AND A CONTINGENT TERMINATION DATE”

5. Page 3.

Following: line 20

Insert: “Section 3. Section 15-36-101, MCA, is amended to read:

“15-36-101. Definitions and rate of tax. (1) Every person engaging in or carrying on the business of producing petroleum, other mineral or crude oil, or natural gas within this state or engaging in or carrying on the business of owning, controlling, managing, leasing, or operating within this state any well or wells from which any merchantable or marketable petroleum, other mineral or crude oil, or natural gas is extracted or produced sufficient in quantity to justify the marketing of the same must, except as provided in 15-36-121, each year when engaged in or carrying on any such business in this state pay to the department of revenue for the exclusive use and benefit of the state of Montana a severance tax computed at the following rates:

(a) except as provided in subsections (1)(b), ~~and~~ (1)(c), and (1)(d), 5% of the total gross value of all the petroleum and other mineral or crude oil produced by such person from each lease or unit on or after April 1, 1981, and on or before March 31, 1983; 6% of the total gross value of all the petroleum and other mineral or crude oil produced by such person from each lease or unit on or after April 1, 1983, and on or before March 31, 1985; and 5% of the total gross value of all the petroleum and other mineral or crude oil produced by such person from each lease or unit thereafter; but in determining the amount of such tax there shall be excluded from consideration all petroleum or other crude or mineral oil produced and used by such person during such year in connection with his operations in

prospecting for, developing, and producing such petroleum or crude or mineral oil;

(b) 2.65% of the total gross value of natural gas produced from each lease or unit; but in determining the amount of such tax there shall be excluded from consideration all gas produced and used by such person during such year in connection with his operations in prospecting for, developing, and producing such gas or petroleum or crude or mineral oil; and there shall also be excluded from consideration all gas, including carbon dioxide gas, recycled or reinjected into the ground;

(c) 2.5% of the total gross value of the incremental petroleum and other mineral or crude oil produced from each lease or unit in a tertiary recovery project after July 1, 1985. For purposes of this section, a tertiary recovery project must meet the following requirements:

(i) the project must be approved as a tertiary recovery project by the department of revenue. Such approval may be extended only after notice and hearing in accordance with Title 2, chapter 4.

(ii) the property to be affected by the project must be adequately delineated according to the specifications required by the department; and

(iii) the project must involve the application of one or more tertiary recovery methods that can reasonably be expected to result in an increase, determined by the department to be significant in light of all the facts and circumstances, in the amount of crude oil which may potentially be recovered. For the purpose of this section, tertiary recovery methods include but are not limited to:

(A) miscible fluid displacement;

(B) steam drive injection;

(C) micellar/emulsion flooding;

(D) in situ combustion;

(E) polymer augmented water flooding;

(F) cyclic steam injection;

(G) alkaline or caustic flooding;

(H) carbon dioxide water flooding;

(I) immiscible carbon dioxide displacement;

(J) any other method approved by the department as a tertiary recovery method;

(d) 3% of the total gross value of all the natural gas, petroleum, and other mineral or crude oil produced by a stripper well, as defined in 15-36-121, that produces more than 5 barrels a day during the period beginning April 1, 1987, and ending March 31, 1989.

(2) For purposes of this section, the term "incremental petroleum and other mineral or crude oil" means the amount of oil, as determined by the department of revenue, to be in excess of what would have been produced by primary and secondary methods. The determination arrived at by the department must be made only after

notice and hearing and shall specify through the life of a tertiary project, calendar year by calendar year, the combined amount of primary and secondary production that must be used to establish the incremental production from each lease or unit in a tertiary recovery project.

(3) Nothing in this part may be construed as requiring laborers or employees hired or employed by any person to drill any oil well or to work in or about any oil well or prospect or explore for or do any work for the purpose of developing any petroleum or other mineral or crude oil to pay such severance tax, nor may any work done or the drilling of any well or wells for the purpose of prospecting or exploring for petroleum or other mineral or crude oils or for the purpose of developing same be considered to be the engaging in or carrying on of any such business. If, in the doing of any such work, in the drilling of any oil well, or in such prospecting, exploring, or development work, any merchantable or marketable petroleum or other mineral or crude oil in excess of the quantity required by such person for carrying on such operation is produced sufficient in quantity to justify the marketing of the same, such work, drilling, prospecting, exploring, or development work is considered to be the engaging in and carrying on of such business within this state within the meaning of this section.

(4) Every person required to pay such tax hereunder shall pay the same in full for his own account and for the account of each of the other owner or owners of the gross proceeds in value or in kind of all the marketable petroleum or other mineral or crude oil or natural gas extracted and produced, including owner or owners of working interest, royalty interest, overriding royalty interest, carried working interest, net proceeds interest, production payments, and all other interest or interests owned or carved out of the total gross proceeds in value or in kind of such extracted marketable petroleum or other mineral or crude oil or natural gas, except that any of the aforesaid interests that are owned by the federal, state, county, or municipal governments shall be exempt from taxation under this chapter. Unless otherwise provided in a contract or lease, the pro rata share of any royalty owner or owners will be deducted from any settlements under said lease or leases or division of proceeds orders or other contracts.””

Renumber: subsequent sections

6. Page 4, line 25.

Following: “1986”

Insert: “, and before July 1, 1991”

7. Page 5, line 6.

Following: “well”

Insert: “that produces 5 barrels or less a day”

8. Page 6, line 21.

Following: “applicability”

Insert: “— contingent termination”

Following: “.”

Insert: “(1)”

10. Page 6.

Following: line 23

Insert: “(2) Subsection (2) of 15-36-121, concerning new production, terminates on the date the governor by executive order certifies that

the price of West Texas intermediate crude oil has reached \$25 a barrel as reported in the Wall Street Journal.

(3) Subsection (4) of 15-36-121, concerning stripper well production, terminates on the date the governor by executive order certifies that the price of West Texas intermediate crude oil has reached \$30 a barrel as reported in the Wall Street Journal."

And, as amended, do pass. Report adopted.

HB 833, introduced bill, be amended as follows:

3/19/87

1. Title, lines 6 through 8.

Following: "LIMITATIONS" on line 6

Strike: remainder of line 6 through "BIENNIUM," on line 8

2. Page 1, line 22.

Following: "July 1,"

Strike: "1989"

Insert: "1990"

3. Pages 1 and 2.

Following: "provided" on page 1, line 24

Strike: remainder of line 24 through "biennium" on line 3, page 2

Insert: "in this section"

4. Page 2, lines 16 through 20.

Following: "(4)" on line 16

Strike: remainder of line 16 through line 20 in its entirety

Insert: "The legislature shall enact laws that limit the maximum tax that may be imposed on each piece of property and the total taxes imposed in each taxing unit. The purpose of the tax limit is to maintain to the extent practicable a constant ratio of tax to market value as existed in the base year 1988.

(5) The state shall adjust the base year market value for each class of property, by county, by the average increases in market value determined by sales data from sales of comparable property. Except as provided in subsections (6) through (8), the taxes in any taxing unit may not exceed the ratio determined in the base year.

(6) The limitation on taxes levied, imposed pursuant to subsection (4), provides that increases may be made in the taxable valuation of a taxing unit as a result of:

(a) annexation of real property and improvements into a taxing unit;

(b) construction, expansion, or remodeling of improvements;

(c) transfer of property into a taxing unit;

(d) subdivision of real property;

(e) reclassification of property;

(f) transfer of property from tax-exempt to taxable status; or

(g) revaluations caused by:

(i) cyclical reappraisal; or

(ii) expansion, addition, replacement, or remodeling of improvements.

(7) The limitation on taxes levied may not exceed the dollar amount levied in each taxing unit unless the taxing unit's taxable valuation decreases by 5% or more from the previous tax year. If a taxing unit's taxable valuation decreases by 5% or more from the previous tax year, it may levy additional mills to compensate for the decreased taxable valuation, but in no case may the mills levied exceed a number calculated to equal the revenue from property taxes for the base tax year in that taxing unit.

(8) The revenue limit established in subsection (2) may be exceeded if:

(a) the legislature declares a fiscal emergency by a two-thirds vote of each house;

(b) the declaration is specific as to the nature and dollar amount of the emergency and the method by which the emergency should be funded;

(c) the emergency is declared before any of the expenses that constitute the emergency request are incurred; and

(d) the revenue limit is exceeded only during the fiscal year for which the emergency is declared."

Renumber: subsequent subsections

5. Page 2, line 21.

Following: "(5)"

Strike: "Laws"

Insert: "If laws"

Following: "July 1,"

Strike: "1989, may"

Insert: "1990,"

6. Pages 2 and 3.

Following: "July 1," on page 2, line 25

Strike: remainder of line 25 through "accordingly" on line 1, page 3

Insert: "1990, the revenue limit established under subsection (2) must have been adjusted because of the factors enumerated in subsection (2)"

And, as amended, do pass. Report adopted.

HB 842, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Following: "SYSTEM"

Strike: remainder of line 5 through "SUPPORT" on line 7

Insert: ", TO INCREASE THE CONTRIBUTION TO STATE EQUALIZATION, AND TO ADJUST THE FOUNDATION PROGRAM SCHEDULES"

2. Title, line 9.

Following: "SECTIONS"

Insert: "1-1-207, 7-14-1133, 7-34-2416, 15-1-101,"

3. Title, line 12.

Following: "15-31-202,"

Insert: "15-31-204, 15-31-209, 15-32-402,"

4. Title, line 13.

Following: "19-4-706,"

Insert: "19-5-704"

Following: "19-6-705,"

Insert: "19-7-705, 19-8-805, 19-9-1005, 19-13-1003,"

Strike: "20-9-303, 20-9-318,"

Insert: "20-9-316 THROUGH"

5. Title, line 14.

Strike: "20-9-348, 20-9-352,"

6. Title, line 17.

Following: "15-30-161,"

Insert: "15-31-201, AND 15-31-208,"

Strike: "AND 20-9-351,"

7. Page 1.

Following: line 20

Insert: "Section 1. Section 1-1-207, MCA, is amended to read:

"1-1-207. Miscellaneous terms. Unless the context requires otherwise, the following definitions apply in the Montana Code Annotated:

(1) "Bribe" means anything of value or advantage, present or prospective, or any promise or undertaking to give anything of value or advantage, which is asked, given, or accepted with a corrupt intent to unlawfully influence the person to whom it is given in his action, vote, or opinion in any public or official capacity.

(2) "Internal Revenue Code" means the Internal Revenue Title enacted August 16, 1954, and redesignated as the "Internal Revenue Code of 1986" by section 2 of Public Law 99-514, as amended.

~~(2)~~(3) "Peace officer" means any person described in 46-1-201(8).

~~(2)~~(4) "Vessel", when used in reference to shipping, includes ships of all kinds, steamboats and steamships, canal boats, and every structure adapted to be navigated from place to place."

Section 2. Section 7-14-1133, MCA, is amended to read:

"7-14-1133. Bonds and obligations. (1) An authority may borrow money for any of its corporate purposes and issue bonds therefor, including refunding bonds, in such form and upon such terms as it determines, payable out of any revenues of the authority, including revenues derived from:

- (a) any port or transportation and storage facility;
- (b) taxes levied pursuant to 7-14-1131 or 67-10-402;
- (c) grants or contributions from the federal government; or
- (d) other sources.

(2) The bonds may be issued by resolution of the authority, without an election and without any limitation of amount, except that no bonds may be issued at any time if the total amount of principal and interest to become due in any year on such bonds and on any then outstanding bonds for which revenues from the same source are pledged exceeds the amount of such revenues to be received in that year, as estimated in the resolution authorizing the issuance of the bonds. The authority shall take all action necessary and possible to impose, maintain, and collect rates, charges, rentals, and taxes, if any are pledged, sufficient to make the revenues from the pledged

source in such year at least equal to the amount of principal and interest due in that year.

(3) The bonds may be sold at public or private sale and may bear interest at a rate not exceeding the limitation of 17-5-102. Except as otherwise provided in this part, any bonds issued pursuant to this part by an authority may be payable as to principal and interest solely from revenues of the authority and shall state on their face the applicable limitations or restrictions regarding the source from which such principal and interest are payable.

(4) Bonds issued by an authority, county, or municipality pursuant to the provisions of this part are declared to be issued for an essential public and governmental purpose by a political subdivision within the meaning of 15-30-111(2)(a) for purposes of tax exemption determinations under the Internal Revenue Code.

(5) For the security of any such bonds, the authority, county, or municipality may by resolution make and enter into any covenant, agreement, or indenture and may exercise any additional powers authorized to be exercised by a municipality under Title 7, chapter 7, parts 44 and 45. The sums required from time to time to pay principal and interest and to create and maintain a reserve for the bonds may be paid from any revenues referred to in this part, prior to the payment of current costs of operation and maintenance of the facilities."

Section 3. Section 7-34-2416, MCA, is amended to read:

"7-34-2416. Tax-exempt status of bonds. Bonds issued by a county pursuant to the provisions of 7-34-2411 through 7-34-2418 are declared to be issued for an essential public and governmental purpose by a political subdivision within the meaning of 15-30-111(2)(a) for purposes of tax exemption determinations under the Internal Revenue Code."

Section 4. Section 15-1-101, MCA, is amended to read:

"15-1-101. Definitions. (1) Except as otherwise specifically provided, when terms mentioned in this section are used in connection with taxation, they are defined in the following manner:

(a) The term "agricultural" refers to the raising of livestock, poultry, bees, and other species of domestic animals and wildlife in domestication or a captive environment, and the raising of field crops, fruit, and other animal and vegetable matter for food or fiber.

(b) The term "assessed value" means the value of property as defined in 15-8-111.

(c) The term "average wholesale value" means the value to a dealer prior to reconditioning and profit margin shown in national appraisal guides and manuals or the valuation schedules of the department of revenue.

(d) (i) The term "commercial", when used to describe property, means any property used or owned by a business, a trade, or a non-profit corporation as defined in 35-2-102 or used for the production of income, except that property described in subsection (ii).

(ii) The following types of property are not commercial:

(A) agricultural lands;

(B) timberlands;

(C) single-family residences and ancillary improvements and improvements necessary to the function of a bona fide farm, ranch, or stock operation;

(D) mobile homes used exclusively as a residence except when held by a distributor or dealer of trailers or mobile homes as his stock in trade;

(E) all property described in 15-6-135;

(F) all property described in 15-6-136; and

(G) all property described in 15-6-146.

(e) The term "comparable property" means property that has similar use, function, and utility; that is influenced by the same set of economic trends and physical, governmental, and social factors; and that has the potential of a similar highest and best use.

(f) The term "credit" means solvent debts, secured or unsecured, owing to a person.

(g) The term "improvements" includes all buildings, structures, fences, and improvements situated upon, erected upon, or affixed to land. When the department of revenue or its agent determines that the permanency of location of a mobile home or housetrailer has been established, the mobile home or housetrailer is presumed to be an improvement to real property. A mobile home or housetrailer may be determined to be permanently located only when it is attached to a foundation which cannot feasibly be relocated and only when the wheels are removed.

(h) The term "Internal Revenue Code" means the Internal Revenue Title enacted August 16, 1954, and redesignated as the "Internal Revenue Code of 1986" by section 2 of Public Law 99-514, as amended.

~~(h)~~(i) The term "leasehold improvements" means improvements to mobile homes and mobile homes located on land owned by another person. This property is assessed under the appropriate classification and the taxes are due and payable in two payments as provided in 15-24-202. Delinquent taxes on such leasehold improvements are a lien only on such leasehold improvements.

~~(i)~~(j) The term "livestock" means cattle, sheep, swine, goats, horses, mules, and asses.

~~(j)~~(k) The term "mobile home" means forms of housing known as "trailers", "housetrailer", or "trailer coaches" exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any "trailer", "housetrailer", or "trailer coach" up to 8 feet in width or 45 feet in length used as a principal residence.

~~(k)~~(l) The term "personal property" includes everything that is the subject of ownership but that is not included within the meaning of the terms "real estate" and "improvements".

~~(l)~~(m) The term "poultry" includes all chickens, turkeys, geese, ducks, and other birds raised in domestication to produce food or feathers.

~~(m)~~(n) The term “property” includes moneys, credits, bonds, stocks, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership. This definition must not be construed to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by the stocks is within the state and has been taxed.

~~(n)~~(o) The term “real estate” includes:

(i) the possession of, claim to, ownership of, or right to the possession of land;

(ii) all mines, minerals, and quarries in and under the land subject to the provisions of 15-23-501 and Title 15, chapter 23, part 8; all timber belonging to individuals or corporations growing or being on the lands of the United States; and all rights and privileges appertaining thereto.

~~(o)~~(p) The term “taxable value” means the percentage of market or assessed value as provided for in 15-6-131 through 15-6-140.

(2) The phrase “municipal corporation” or “municipality” or “taxing unit” shall be deemed to include a county, city, incorporated town, township, school district, irrigation district, drainage district, or any person, persons, or organized body authorized by law to establish tax levies for the purpose of raising public revenue.

(3) The term “state board” or “board” when used without other qualification shall mean the state tax appeal board.”

NEW SECTION. Section 5. Income tax windfall reserve account.

(1) There is an income tax windfall reserve account in the state special revenue fund.

(2) For fiscal years 1988 and 1989, the first \$12.5 million received in each fiscal year from the collection of individual income taxes under Title 15, chapter 30, must be deposited in the income tax windfall reserve account in the state special revenue fund for the purpose of providing a reserve to offset the impact of potential overestimates of the income tax windfall revenues to the state.

(3) The balance in the income tax windfall reserve account at the end of the 1989 fiscal year must be transferred to the general fund and included in the ending general fund balance.”

Renumber: subsequent sections

8. Page 3, line 1.

Following: “title”

Insert: “that is not deposited in the income tax windfall reserve account pursuant to [section 5]”

9. Page 3, line 3.

Following: “(a)”

Strike: “58.2%”

Insert: “61.7%”

10. Page 3, line 4.

Following: “(b)”

Strike: “10.0%”

Insert: “9.1%”

11. Page 3, line 7.

Following: “(c)”

Strike: "31.8%"

Insert: "29.2%"

12. Page 9, line 9.

Following: "income,"

Strike: "4%"

Insert: "3%"

13. Page 9, line 11.

Following: "income,"

Strike: "\$180"

Insert: "\$135"

14. Page 9, line 12.

Following: "plus"

Strike: "6%"

Insert: "5%"

15. Page 9, line 13.

Following: "income"

Strike: "\$630"

Insert: "\$510"

Following: "plus"

Strike: "8%"

Insert: "7%"

16. Page 9, line 21.

Following: "income,"

Strike: "4%"

Insert: "3%"

17. Page 9, line 23.

Following: "income,"

Strike: "\$90"

Insert: "\$67.50"

18. Page 9, line 24.

Following: "plus"

Strike: "6%"

Insert: "5%"

19. Page 9, line 25.

Following: "income,"

Strike: "\$315"

Insert: "\$255"

Following: "plus"

Strike: "8%"

Insert: "7%"

20. Page 11, line 3.

Following: "section"

Strike: "5"

Insert: "10"

21. Page 11, line 14.

Following: "by"

Strike: "sections"

Insert: "section"

Following: "55"

Strike: "through 59"

22. Page 11, line 15.

Following: "to"

Strike: "file"

Insert: "pay"

23. Page 11.

Following: line 15

Strike: "return"

24. Page 12, line 9.

Following: "income"

Insert: ", less the applicable exemption amount provided for in section 55 of the Internal Revenue Code,"

25. Page 12, line 20.

Following: "income"

Insert: ", less the applicable exemption amount provided for in section 55 of the Internal Revenue Code,"

26. Page 12, line 24.

Following: "section"

Strike: "8"

Insert: "13"

27. Page 13, line 16.

Following: "residents,"

Strike: "the rates provided for in 15-30-103 must"

Insert: "a tax rate of 5% shall"

28. Page 13, line 22.

Following: "section"

Strike: "8"

Insert: "13"

29. Page 18.

Following: line 23

Insert: "(c) all benefits, not in excess of \$3,600, received as an annuity, pension, or endowment under any public, private, or corporate retirement plan or system other than a railroad retirement plan;"

Renumber: subsequent subsection

30. Page 22, line 8.

Following: "reservation"

Insert: ";

(viii) interest and taxes on Montana property used for the production of Montana income"

31. Page 36, line 17.

Following: "automatic"

Strike: "2-month"

Insert: "4-month"

32. Page 36, lines 21 through 24.

Following: "department" on line 21

Strike: remainder of line 21 through "period" on line 24

33. Page 37, line 19.

Following: "exceed"

Strike: "4"

Insert: "2"

34. Page 43, line 21.

Following: "corporation"

Strike: "may elect"

Insert: "that has made a valid election under Subchapter S of Chapter 1 of the Internal Revenue Code is"

Following: "not"

Strike: "to be"

35. Page 43.

Following: line 22

Strike: subsections (2) and (3) in their entirety

Insert: "(2) A small business corporation that has made a valid election under Subchapter S of Chapter 1 of the Internal Revenue code shall file by the 15th day of the third month of its first taxable year a copy of the internal revenue service notification or other proof that a valid federal election has been made. If such proof is not filed by the time the department receives the corporation's first tax return, the department shall notify the corporation that such proof is required within 60 days of the date of the notice. If proof is not received within 60 days, or by a reasonable extension date based upon a request by the taxpayer prior to the expiration of the 60 days, the corporation is subject to the taxes imposed by this chapter.

(3) A small business corporation that has made a valid election under Subchapter S of Chapter 1 of the Internal Revenue Code may elect to be subject to the taxes imposed by this chapter by filing an election on a form provided by the department. The form must have printed on it a notification that making the election will subject income to tax under both this chapter and chapter 30. For tax years beginning on or after January 1, 1987, but before March 1, 1988, the election must be filed by May 15, 1988. Thereafter, the election must be filed by the 15th day of the third month of the taxable year for which the election is to become effective. The election may be revoked by written notification to the department. Such revocation must be filed by the 15th day of the third month of the taxable year for which the revocation is to be effective."

36. Page 44, line 16.

Following: "This"

Strike: "election"

Insert: "section"

37. Page 44, line 17.

Following: "of"

Strike: "such electing"

Insert: "the nonelecting small business"

38. Page 44, line 20.

Following: "Every"

Strike: "electing"

Insert: "nonelecting small business"

Following: "pay"

Strike: "the"

Insert: "a"

39. Page 44.

Following: line 21

Insert: "Section 24. Section 15-31-204, MCA, is amended to read:

"15-31-204. Minimum fee of qualifying corporations unaffected. Notwithstanding the provisions of 15-31-121 corporations ~~electing~~ and qualifying under 15-31-202 shall pay a minimum fee of \$10."

Section 25. Section 15-31-209, MCA, is amended to read:

“15-31-209. Termination and revocation. If the election under the provisions of Subchapter S is either terminated or revoked for federal purposes, the corporation must notify the department within 30 days of such termination or revocation. ~~The department may terminate an election at any time if it discovers the corporation does not qualify as a small business corporation as provided for under the provisions of Subchapter S of the Internal Revenue Code of 1954. A corporation that does not have a valid federal election for the entire taxable year is subject to tax under this chapter.~~”

Section 26. Section 15-32-402, MCA, is amended to read:

“15-32-402. Commercial investment credit — wind-generated electricity. (1) An individual, corporation, partnership, or small business corporation as defined in ~~15-31-201 Subchapter S of Chapter 1 of the Internal Revenue Code that makes an investment of \$5,000 or more in certain depreciable property qualifying under section 38 of the Internal Revenue Code of 1954, as amended,~~ for a commercial system located in Montana which generates electricity by means of wind power is entitled to a tax credit against taxes imposed by 15-30-103 or 15-31-121 in an amount equal to 35% of the eligible costs, to be taken as a credit only against taxes due as a consequence of taxable or net income produced by one of the following:

(a) manufacturing plants located in Montana that produce wind energy generating equipment;

(b) a new business facility or the expanded portion of an existing business facility for which the wind energy generating equipment supplies, on a direct contract sales basis, the basic energy needed; or

(c) the wind energy generating equipment in which the investment for which a credit is being claimed was made.

(2) For purposes of determining the amount of the tax credit that may be claimed under subsection (1), eligible costs include only those expenditures that qualify under section 38 of the Internal Revenue Code of 1954, as amended, and that are associated with the purchase, installation, or upgrading of:

(a) generating equipment;

(b) safety devices and storage components;

(c) transmission lines necessary to connect with existing transmission facilities; and

(d) transmission lines necessary to connect directly to the purchaser of the electricity when no other transmission facilities are available.

(3) Eligible costs under subsection (2) must be reduced by the amount of any grants provided by the state or federal government for the system.”

Renumber: subsequent sections

40. Page 47, line 22.

Following: “and”

Insert: “taxes and”

41. Page 47, line 25.

Following: “.”

Insert: “.”

42. Page 48, line 1.

Following: “~~(1)~~”

Insert: “(1)”

43. Page 48, line 2.

Following: “.”

Strike: “.”

Insert: “.”

44. Page 48, line 6.

Following: “~~or~~”

Insert: “(2) subject to state, county, or municipal taxes to the extent provided in 15-30-111, except for a refund paid under 19-3-703 of a member’s contributions picked up by an employer after June 30, 1985, as provided in 19-3-701; or”

45. Page 48, line 7.

Following: “~~(3)~~”

Insert: “(3)”

Strike: “nor is it”

46. Page 48, line 10.

Following: “~~and~~”

Insert: “taxes and”

47. Page 48, line 15.

Following: “.”

Insert: “.”

48. Page 48.

Following: line 19

Insert: “(1) exempted from any state, county, or municipal tax of the state of Montana to the extent provided in 15-30-111, except for a refund paid under 19-4-603 of a member’s contributions picked up by an employer after June 30, 1985, as provided in 19-4-602;”

49. Page 48, line 20.

Following: “~~(2)~~”

Insert: “(2)”

50. Page 48, line 22.

Following: “.”

Insert: “.”

51. Page 48, line 23.

Following: “~~(3)~~”

Insert: “(3)”

Strike: “are”

52. Page 48.

Following: line 24

Insert: “Section 30. Section 19-5-704, MCA, is amended to read:

“19-5-704. Exemption from taxes and legal process. Any money received or to be paid as a member’s annuity, state annuity, or return of deductions or the right of any of these shall be exempt from any state or municipal tax to the extent provided in 15-30-111 and from levy, sale, garnishment, attachment, or any other process whatsoever and shall be unassignable except as specifically provided in 19-5-705.””

Renumber: subsequent section

53. Page 49, line 1.

Following: "~~and~~"

Insert: "taxes and"

54. Page 49, line 4.

Following: "~~;~~"

Insert: ".,"

55. Page 49.

Following: line 8

Insert: "(1) exempt from any state, county, or municipal tax to the extent provided in 15-30-111, except for a refund paid under 19-6-403 of a member's contributions picked up by an employer after June 30, 1985, as provided in 19-6-402;"

56. Page 49, line 9.

Following: "~~(2)~~"

Insert: "(2)"

57. Page 49, line 10.

Following: "~~;~~"

Insert: ".,"

58. Page 49, line 11.

Following: "~~(3)~~"

Insert: "(3)"

Strike: "is"

59. Page 49.

Following: line 12

Insert: "Section 32. Section 19-7-705, MCA, is amended to read:

"19-7-705. Exemption from taxes and legal process. Any money received or to be paid as a member's annuity, state annuity, or return of deductions or the right of any of these is:

(1) exempt from any state, county, or municipal tax to the extent provided in 15-30-111, except for a refund paid under 19-7-304(1) of a member's contributions picked up by an employer after June 30, 1985, as provided in 19-7-403;

(2) exempt from levy, sale, garnishment, attachment, or any other process; and

(3) unassignable except as specifically provided in 19-7-706."

Section 33. Section 19-8-805, MCA, is amended to read:

"19-8-805. Exemption from taxes and legal process. Any money received or to be paid as a member's annuity, state annuity, or return of deductions or the right of any of these is:

(1) exempt from any state, county, or municipal tax to the extent provided in 15-30-111, except for a refund paid under 19-8-503 of the member's contributions picked up by an employer after June 30, 1985, as provided in 19-8-502;

(2) exempt from levy, sale, garnishment, attachment, or any other process; and

(3) unassignable except as specifically provided in 19-8-806."

Section 34. Section 19-9-1005, MCA, is amended to read:

"19-9-1005. Exemption from taxes. Any money paid in accordance with the provisions of this chapter is exempt from any state, county, or municipal tax to the extent provided in 15-30-111, except a refund paid under 19-9-304 of a member's contributions picked up by an employer after June 30, 1985, as provided in 19-9-601."

Section 35. Section 19-13-1003, MCA, is amended to read:

"19-13-1003. Exemption from taxes. Any money received as a retirement allowance in accordance with the provisions of this chapter is exempt from any state or municipal tax to the extent provided in 15-30-111."

Renumber: subsequent sections

60. Page 54, line 9 through page 56, line 3.

Strike: section 25 in its entirety

61. Page 56.

Following: line 3

Insert: "Section 38. Section 20-9-316, MCA, is amended to read:

"20-9-316. Elementary school maximum budget schedule for ~~1985-86~~ 1987-88. (1) For each elementary school having an ANB of nine or fewer pupils, the maximum shall be ~~\$19,959~~ \$19,957 if said school is approved as an isolated school.

(2) For schools with an ANB of 10 pupils but less than 18 pupils, the maximum shall be ~~\$19,959~~ \$19,957 plus ~~\$834.10~~ \$834 per pupil on the basis of the average number belonging over nine.

(3) For schools with an ANB of at least 14 pupils but less than 18 pupils that qualify for instructional aide funding under 20-9-322, the maximum shall be ~~\$32,714~~ \$32,711 plus ~~\$834.10~~ \$834 per pupil on the basis of the average number belonging over 14.

(4) For schools with an ANB of 18 pupils and employing one teacher, the maximum shall be ~~\$27,466~~ \$27,463 plus ~~\$834.10~~ \$834 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 25.

(5) For schools with an ANB of 18 pupils and employing two full-time teachers, the maximum shall be ~~\$43,851~~ \$43,847 plus ~~\$522.40~~ \$522.30 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 50.

(6) For schools having an ANB in excess of 40, the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

(a) For a school having an ANB of more than 40 and employing a minimum of three teachers, the maximum of \$1,938 shall be decreased at the rate of \$1.88 for each additional pupil until the total number (ANB) shall have reached a total of 100 pupils.

(b) For a school having an ANB of more than 100 pupils, the maximum of \$1,825 shall be decreased at the rate of \$1.72 for each additional pupil until the ANB shall have reached 300 pupils.

(c) For a school having an ANB of more than 300 pupils, the maximum shall not exceed \$1,481 for each pupil.

(7) The maximum per pupil for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount

allowed herein on account of the last eligible pupil (ANB). All elementary schools operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule."

Section 39. Section 20-9-317, MCA, is amended to read:

"20-9-317. High school maximum budget schedule for ~~1985-86~~ 1987-88. (1) For each high school having an ANB of 24 or fewer pupils, the maximum shall be ~~\$113,708~~ \$113,696.

(2) For a secondary school having an ANB of more than 24 pupils, the maximum ~~\$4,738~~ \$4,737 shall be decreased at the rate of \$25.84 for each additional pupil until the ANB shall have reached a total of 40 such pupils.

(3) For a school having an ANB of more than 40 pupils, the maximum of \$4,324 shall be decreased at the rate of \$25.84 for each additional pupil until the ANB shall have reached 100 pupils.

(4) For a school having an ANB of more than 100 pupils, a maximum of \$2,774 shall be decreased at the rate of \$4.32 for each additional pupil until the ANB shall have reached 200 pupils.

(5) For a school having an ANB of more than 200 pupils, the maximum of ~~\$2,342~~ \$2,341 shall be decreased by ~~\$2.38~~ \$2.37 for each additional pupil until the ANB shall have reached 300 pupils.

(6) For a school having an ANB of more than 300 pupils, the maximum of \$2,104 shall be decreased at the rate of 44 cents until the ANB shall have reached 600 pupils.

(7) For a school having an ANB over 600 pupils, the maximum shall not exceed \$1,973 per pupil.

(8) The maximum per pupil for all pupils (ANB) and for all high schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil (ANB). All high schools and junior high schools which have been approved and accredited as junior high schools, operated within the incorporated limits of a city or town, shall be treated as one school for the purpose of this schedule."

Renumber: subsequent sections

62. Page 56, line 6.

Following: "years"

Insert: "for 1988-89 and succeeding years"

Strike: "1986-87"

Insert: "1988-89"

63. Page 56, line 10.

Strike: "\$20,158"

Insert: "\$19,558"

64. Page 56, line 13.

Strike: "\$20,158"

Insert: "\$19,558"

Strike: "\$842.50"

Insert: "\$817.30"

65. Page 56, line 18.

Strike: "\$33,042"

Insert: "\$32,057"

66. Page 56, line 19.

Strike: "\$842.50"

Insert: "\$817.30"

67. Page 56, line 22.

Strike: "\$27,741"

Insert: "\$26,914"

Strike: "\$842.50"

Insert: "\$817.30"

68. Page 57, line 1.

Strike: "\$44,290"

Insert: "\$42,970"

69. Page 57, line 2.

Strike: "\$527.60"

Insert: "\$511.90"

70. Page 57, line 8.

Strike: "\$1,957"

Insert: "\$1,899"

71. Page 57, line 9.

Strike: "\$1.90"

Insert: "\$1.84"

72. Page 57, line 13.

Strike: "\$1,843"

Insert: "\$1,788"

73. Page 57, line 14.

Strike: "\$1.74"

Insert: "\$1.69"

74. Page 57, line 17.

Strike: "\$1,496"

Insert: "\$1,451"

75. Page 57, line 24 through page 58, line 4.

Strike: subsection (8) in its entirety

76. Page 58, line 7.

Following: "~~years~~"

Insert: "for 1988-89 and succeeding years"

Strike: "1986-87"

Insert: "1988-89"

77. Page 58, line 11.

Strike: "\$114,845"

Insert: "\$111,422"

78. Page 58, line 13.

Strike: "\$4,785"

Insert: "\$4,643"

79. Page 58, line 14.

Strike: "\$26.10"

Insert: "\$25.32"

80. Page 58, line 17.

Strike: "\$4,368"

Insert: "\$4,237"

81. Page 58, line 18.

Strike: "\$26.10"

Insert: "\$25.32"

82. Page 58, line 21.

Strike: "\$2,802"

Insert: "\$2,718"

83. Page 58, line 22.

Strike: "\$4.37"

Insert: "\$4.24"

84. Page 58, line 25.

Strike: "\$2,365"

Insert: "\$2,295"

Strike: "\$2.40"

Insert: "\$2.33"

85. Page 59, line 4.

Strike: "\$2,125"

Insert: "\$2,062"

86. Page 59, line 5.

Strike: "44"

Insert: "43"

87. Page 59, line 7.

Strike: "\$1,993"

Insert: "\$1,933"

88. Page 59, lines 16 through line 21.

Strike: subsection (9) in its entirety

89. Page 60, line 14.

Following: "~~25%~~"

Strike: "31.8%"

Insert: "29.2%"

90. Page 61, line 15 through page 65, line 18.

Strike: sections 29 and 30 in their entirety

Renumber: subsequent sections

91. Page 65, line 22.

Following: "surtax"

Strike: "10%"

Insert: "20%"

92. Page 66, line 1.

Following: "15-30-161,"

Insert: "15-31-201,"

Following: "and"

Strike: "20-9-351"

Insert: "15-31-208"

93. Page 66, line 4.

Following: "Sections"

Strike: "5, 8, and 31"

Insert: "10, 13, and 43"

94. Page 66, line 7.

Following: "sections"

Strike: "5, 8, and 31"

Insert: "10, 13, and 43"

95. Page 66, line 16.

Following: "through"

Strike: "24"

Insert: "22, 27 through 37, and 44"

96. Page 66.

Following: line 18

Insert: "(3) Sections 23 through 26 apply retroactively, within the meaning of 1-2-109, to all small business corporations that have made a valid election under Subchapter S of Chapter 1 of the Internal Revenue Code on or before December 31, 1986, and for tax years ending after December 31, 1986.

NEW SECTION. Section 48. Coordination instruction. If House Bill No. 377 is passed and approved, this act is void."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 858, as amended, do not pass.

HB 26, as amended, statement of intent attached, do not pass. Chairman Ramirez moved to adopt the committee report. Representative Addy made a substitute motion that the adverse committee report be rejected and the bill be returned to the Committee on Taxation. Motion carried.

3/18/87

MOTIONS

Representative Hannah moved that the House stand in recess until 3:30 p.m. for party caucuses. Motion carried.

House recessed at 2:30 p.m.

House reconvened at 4:00 p.m.

Mr. Speaker in the Chair.

Representative Grady moved that HB 656 be taken from the table in the Committee on Highways and placed on second reading today. Motion carried. (70-23)

Representatives Phillips, Swift, and the Committee on Appropriations present at this time.

Representative Winslow moved that consideration of HB 880 on second reading be passed for the day, as some necessary information had not arrived. Motion carried.

Representative Harper moved that HB 545 be taken from the table in the Committee on Taxation and printed and placed on second reading. This is Representative Moore's bill dealing with a tax on cigarettes and chewing tobacco. Motion failed. (41-58)

Representative Stang moved that HB 848 be taken from the table in the Committee on Taxation and printed and placed on second reading. This is the bill dealing with apportioning property tax on moveable equipment on January 1. Motion carried. (70-25)

Representative Peck moved that SB 253 be taken from the Committee on Appropriations and placed on second reading. This bill deals with transferring unobligated balances back to the general fund. Motion carried. (64-26)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 890, introduced by Hannah, D. Brown, Miller, J. Brown, Roth, Pistoria, Rehberg, Kitselman, Sands, Poulsen, Donaldson, Patterson, Pavlovich, Quilici, Glaser, Nisbet, Iverson, Simon, Driscoll, Harrington, Winslow, Harp, Mercer, Strizich, Ramirez. Referred to Committee on Appropriations.

HB 891, introduced by M. Williams, (By Request of the Governor). Referred to Committee on Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 526 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow.

Total 64

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Giacometto, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Manuel, Menke, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Poff, Sales, Smith, Swift, Switzer, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 36

Paired: Moore, Aye; Giacometto, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 658 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Asay, Fritz, Giacometto, Jones, Meyers, Poff, Smith.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Donaldson.

Total 1

SB 220 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 288 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Bulger.

Total 1

HB 386, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser,

Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Driscoll, Fritz, Giacometto, Meyers, Whalen.

Total 5

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 709 - Representative D. Brown moved that HB 709 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Bardanouve, Nathe, Ream, Whalen.

Total 4

Excused: Moore.

Total 1

Absent or not voting: Corne'.

Total 1

HB 730 - Representative Bachini moved that HB 730 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp,

Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Hannah.

Total 1

HB 846 - Representative Hoffman moved that HB 846, second reading copy, be amended as follows:

1. Title, line 18.

Strike: "A DELAYED"

Insert: "AN"

2. Page 66, line 20.

Strike: "January 1, 1988"

Insert: "July 1, 1987"

Amendment passed as follows:

Ayes: Asay, Bachini, Brandewie, Campbell, Cobb, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Rehberg, Roth, Sales, Sands, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 58

Noes: Addy, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Menahan, Miles, Pavlovich, Peck, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 38

Excused: Moore.

Total 1

Absent or not voting: D. Brown, Hoffman, Simon.

Total 3

Representative Keenan moved that HB 846, second reading copy, be further amended. Amendment failed. (41-56)

Representative Hoffman moved that HB 846, as amended, do pass. Motion failed. (44-54)

Representative Hannah moved that HB 846, as amended, do not pass. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Gilbert, Glaser, Grinde, Hannah, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, Manuel, Menahan, Meyers, Miles, Miller, Nelson, Pavlovich, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 59

Noes: Asay, Bachini, Campbell, Cobb, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gould, Grady, Hansen, Hanson, Hayne, Jenkins, Keller, McCormick, Menke, Mercer, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Roth, Sales, Sands, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.

Total 39

Excused: Moore.

Total 1

Absent or not voting: Koehnke.

Total 1

HB 862 - Representative Vincent moved that HB 862, second reading copy, be amended as follows:

1. Page 5.

Following: line 7

Insert: "NEW SECTION. Section 2. Montana value-added commission. The Montana value-added commission is created to conduct value-added research and development for exploring ways to add value to Montana's basic commodities before they leave the state. The value-added commission is funded as provided in 15-35-108(3)(1).

NEW SECTION. Section 3. Appointment and composition of the Montana value-added commission.

(1) Nine members are appointed from the following industries: wood products, oil and gas, coal mining, metals and non-fuel minerals mining, livestock (cattle and sheep), grain growers, manufacturing, high technology, tourism.

(2) One member is appointed from the university research and development programs within the university system.

(3) Commission nominees representing industry will be requested from industry trade associations by the director of the department of commerce. A trade association executive may be a commission member. University nominees must be submitted by the university presidents.

(4) After consultation with the speaker of the house, the president of the senate, the senate republican floor leader, and the house minority leader, the director of the department of commerce shall appoint the commission from the nominees submitted by the industry sectors and the university presidents."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 88

Noes: Devlin, Giacometto, Hannah, Hayne, Simon, Swift, Mr. Speaker.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Hoffman, Koehnke, Menahan, O'Connell.

Total 4

Representative Vincent moved that HB 862, second reading copy, be further amended. Amendment failed. (45-54)

Representative Winslow moved that HB 862, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bardanouve, Cody, Cohen, Giacometto, Sales, Schye.

Total 6

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HJR 43 - Representative Winslow moved that HJR 43 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 185 - Representative Manuel moved that HB 185 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Ellison, Giacometto, Grinde, Jones, Menke, Mercer, Meyers, Peterson, Sales, Thomas.

Total 10

Excused: Moore.

Total 1

Absent or not voting: Cobb.

Total 1

HB 243 - Representative Harper moved that HB 243 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Cobb, Giacometto, Menke, Meyers, Miller, Stang, Swift.

Total 8

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 259 - Representative Winslow moved that HB 259 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Ellison, Grinde, Switzer.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Sands.

Total 2

HB 617 - Representative Vincent moved that HB 617 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Grinde, Hannah, Sales, Swysgood.

Total 5

Excused: Moore.

Total 1

Absent or not voting: Brandewie, Iverson.

Total 2

HB 716 - Representative J. Brown moved that HB 716 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Glaser, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich,

Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Whalen, Williams, Winslow.

Total 74

Noes: Campbell, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hannah, Hayne, Jones, Kitselman, Koehnke, Menke, Mercer, Meyers, Nelson, Peterson, Phillips, Sales, Simon, Smith, Stang, Swift, Thomas, Wallin, Mr. Speaker.

Total 25

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 751 - Representative Winslow moved that HB 751 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Cohen, Meyers.

Total 2

Excused: Moore.

Total 1

Absent or not voting: D. Brown.

Total 1

HB 851 - Representative Harp moved that HB 851 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: DeMars, Fritz, Hoffman, Peck, Poff, Schye, Swift, Whalen.

Total 8

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Thomas excused at this time.

HB 852 - Representative Nathe moved that HB 852 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore, Thomas.

Total 2

Absent or not voting: None.

Total 0

HB 876 - Representative Ramirez moved that HB 876 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Kadas, Peck, Raney, Sales, Stang, Whalen.

Total 6

Excused: Moore, Thomas.

Total 2

Absent or not voting: Sands.

Total 1

SB 96 - Representative Miles moved that SB 96 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Devlin, Mercer, Meyers, Nathe, Sales.

Total 6

Excused: Moore, Thomas.

Total 2

Absent or not voting: None.

Total 0

SB 114 - Representative Compton moved that SB 114 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Bachini.

Total 1

Excused: Moore, Thomas.

Total 2

Absent or not voting: Pavlovich.

Total 1

Representative Miles excused at this time.

SB 118 - Representative Glaser moved that HB 118 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Asay, Cobb, Devlin, Hannah, Nathe, Poulsen, Sales, Swift, Switzer, Thoft, Whalen.

Total 11

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Keller.

Total 1

SB 136 - Representative Peterson moved that SB 136 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Gilbert, Menke, Sales.

Total 3

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

SB 219 - Representative Daily moved that consideration of SB 219 be passed for the day. Motion carried. (70-24)

SB 222 - Representative Driscoll moved that SB 222 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Fritz, Poulsen.

Total 2

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Harp, Menke.

Total 2

SB 252 - Representative Keenan moved that consideration of SB 252 be passed for the day because of the absence of the sponsor, Representative Miles. Motion carried.

SB 306 - Representative Giacometto moved that SB 306 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Fritz.

Total 1

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

SB 356 - Representative Giacometto moved that SB 356, third reading copy, be amended as follows:

1. Page 1, line 15.

Strike: “:

(a) 23 years of age or older; and

(b)”

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: D. Brown, Campbell, Cohen, Fritz, Nisbet, Peterson, Raney, Squires, Whalen.

Total 9

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Brandewie, Grady, Harp, Menke.

Total 4

Representative Grady moved that SB 356, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Campbell, Fritz, Hoffman, Jenkins, Koehnke, Peterson.

Total 6

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Devlin, Ellison, Kadas, Nelson, Swysgood.

Total 5

SB 357 - Representative Rehberg moved that SB 357, third reading copy, be amended as follows:

1. Page 2, line 11.

Following: "printed,"

Insert: "upon discovering the omission,"

2. Page 2, lines 12 and 13.

Strike: "has" on line 12 through "to" on line 13

Insert: "shall"

3. Page 2, line 14.

Following: "commissioner"

Insert: "within 5 days"

Strike: "to"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cohen, Fritz, Hansen, Harper, Holliday, Kadas, Raney, Russell.
Total 8

Excused: Miles, Moore, Thomas.
Total 3

Absent or not voting: None.
Total 0

Representative Nelson moved that SB 357, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Hansen, Nisbet.
Total 2

Excused: Miles, Moore, Thomas.
Total 3

Absent or not voting: None.
Total 0

SB 365 - Representative Cobb moved that SB 365 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Mercer, Meyers, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 72

Noes: Bachini, Bardanouve, Campbell, Compton, Donaldson, Driscoll, Eudaily, Grinde, Hannah, Hansen, Harper, Jenkins, Kennerly, Koehnke, McCormick, Menke, Nathe, Patterson, Peck, Peterson, Poulsen, Raney, Rapp-Svrcek, Russell, Squires.
Total 25

Excused: Miles, Moore, Thomas.
Total 3

Absent or not voting: None.
Total 0

SB 374 - Representative Swysgood moved that SB 374 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Bardanouve, Campbell, Cody.

Total 3

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 19 - Representative Mercer moved that Senate amendments to HB 19 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bulger, Campbell, Giacometto, Nisbet, Raney, Roth, Russell, Squires.

Total 8

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Miller, Smith.

Total 2

HB 388 - Representative Asay moved that Senate amendments to HB 388 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford,

Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Daily, Fritz, Menke, Pavlovich, Thoft.

Total 5

HB 682 - Representative Spaeth moved that Senate amendments to HB 682 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Sales.

Total 1

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Menahan, Spaeth.

Total 2

HB 792 - Representative Wallin moved that Senate amendments to HB 792 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: Campbell, Giacometto.

Total 2

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: Ellison, Mr. Speaker.

Total 2

HB 815 - Representative Hanson moved that Senate amendments to HB 815 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Campbell, Giacometto.

Total 2

Excused: Miles, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Representative Driscoll made a substitute motion that SB 365 be segregated from the committee of the whole report and that the report, as amended, be adopted. Motion carried. (59-35)

MOTIONS

Representative Donaldson moved that HB 862, SB 222, and SB 365 be taken from engrossing and rereferred to the Committee on Appropriations. Representative Hannah moved the motion be divided, handling the question of SB 365 separately. Motion carried. The divided question rereferring HB 862 and SB 222 carried. Representative Giacometto made a substitute motion to the divided motion that SB 365 be rereferred to the Committee on State Administration, since it deals with the pension plan for the judiciary. The substitute motion carried. (51-41)

Representative Miller moved that SB 96, the bill dealing with penalties for elder abuse, be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:00 a.m., March 21, 1987.

Motion carried.

House adjourned at 8:07 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 21, 1987

House Chambers
State Capitol

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Spaeth. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah, Moore, and the Committee on Appropriations, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-first legislative day, find the same to be correct.

Hayne, Chairman

MOTIONS

Representative Eudaily moved that the House stand in recess for party caucuses until 10:40 a.m. Motion carried.

House recessed at 10:10 a.m.

House reconvened at 11:10 a.m.

Mr. Speaker in the Chair.

The Committee on Appropriations present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/21/87

Correctly printed: HB 373, HB 581, HB 842, HB 848, HB 854, HB 855, HB 868.

Correctly engrossed: HB 185, HB 243, HB 259, HB 617, HB 709, HB 716, HB 730, HB 751, HB 851, HB 852, HB 876, HJR 43, SB 114, SB 118, SB 136, SB 306, SB 356, SB 357, SB 374.

Examined by the sponsor and found to be correct:

HB 134 - Addy	HB 401 - Quilici
HB 143 - Harper	HB 411 - Harp
HB 175 - Peterson	HB 438 - Ream
HB 183 - Ellison	HB 439 - Grady
HB 249 - Kitselman	HB 507 - Campbell
HB 345 - McCormick	HB 591 - Schye
HB 349 - Hannah	HB 691 - Bradley

Signed by the Speaker at 2:45 p.m., 3/20/87: HB 335.

Delivered to the Governor for his approval at 9:19 a.m.: HB 3, HB 13, HB 21, HB 42, HB 64, HB 67, HB 81, HB 130, HB 267, HB 452.

Delivered to the Governor for his approval at 1:20 p.m.: HB 335.

APPROPRIATIONS (Donaldson, Chairman):

3/20/87

HB 7, introduced bill, be amended as follows:

1. Page 5.

Following: line 9

Insert: "L 142,500" (insert under Recommended Funding)

2. Page 5.

Following: line 19

Insert: "L 150,000" (insert under Recommended Funding)

3. Page 5.

Following: line 21

Insert: "L 75,000" (insert under Recommended Funding)

4. Page 5.

Following: line 25

Insert:

"WIBAUX

Water Storage and

Distribution Improvements

L

95,000

SAGE CREEK COUNTY WATER

DISTRICT

Sage Creek Water District

Expansion

L

158,600

YELLOWSTONE COUNTY

Hillcrest Water System

L

99,934

MONTANA STATE UNIVERSITY

Red Bluff Ranch Irrigation

L

129,387"

5. Page 10, line 16.

Following: "exceed"

Strike: "\$82,843,531"

Insert: "\$57,243,531"

6. Page 13.

Following: line 12

Insert: "(c) There is reappropriated \$27,354 of available bond proceeds for the Martinsdale dam and reservoir project."

7. Page 15, line 25.

Following: "exceed"

Strike: "\$51,743,531"

Insert: "\$26,143,531"

8. Page 16, line 3.

Following: "to"

Strike: "\$82,843,531"

Insert: "\$57,243,531"

9. Page 19.

Strike: lines 7 and 8

10. Page 19.

Following: line 8

Insert: "GROUP E"

And, as amended, do pass. Report adopted.

HB 744, third reading copy, be amended as follows:

3/21/87

1. Title, line 10.

Following: "COUNTIES"

Insert: "AND A PLAN FOR CONSOLIDATING SERVICES"

2. Title, line 12.

Strike: "CONTINGENT"

3. Title, line 13.

Following: "COMMISSION'S"

Strike: "PLAN"

Insert: "PLANS"

4. Page 2, line 6.

Following: "Constitution"

Insert: "; and

WHEREAS, if the voters reject county consolidation and reorganization, an alternative plan will be needed to reduce the expense of county government by consolidating services"

5. Page 2, lines 7 and 8.

Following: "that"

Strike: "a study of PLAN FOR county consolidation and reorganization is"

Insert: "plans for consolidating county services and for eventual consolidation and reorganization of counties are"

6. Page 2, line 15.

Following: "reorganization"

Insert: "and a plan for consolidating services"

7. Page 2, line 21.

Following: "COUNTIES"

Insert: "and a plan for consolidating services within districts consisting of two or more existing counties"

8. Page 2, lines 22 and 23.

Following: "DESIGNATE"

Strike: "TWO COMMISSIONERS"

Insert: "one commissioner from each congressional district, after conferring to achieve geographic representation"

9. Page 3, line 3.

Following: "PREPARE"

Strike: "A PLAN"

Insert: "the following two plans:

(a) a plan"

10. Page 3.

Following: line 8

Insert: "(b) a plan for consolidating services within the districts described in section 4."

11. Page 3, lines 9 and 10.

Following: "submit"

Strike: "its"

Following: "~~recommendations~~"

Strike: "PLAN"

Insert: "both plans"

12. Page 3, line 14.

Following: "\$7,500"

Strike: "\$30,000"

Insert: "\$50,000"

13. Page 3, lines 15 and 16.

Following: "preparing the"

Strike: remainder of line 15 through "PLAN" on line 16

Insert: "plans"

14. Page 3, line 22.

Following: "counties"

Strike: "— public hearings. (1)"

Insert: "."

Renumber: subsections (a) through (i) as (1) through (9)

15. Page 4.

Following: line 13

Insert: "Section 4. Plan for consolidation of services within districts. (1) The county boundary commission shall prepare a plan for consolidating services in each of the following districts or in similar districts, each of which comprises at least two adjoining counties:

- (a) District 1: Lewis and Clark, Broadwater, and Jefferson Counties;
- (b) District 2: Silver Bow, Beaverhead, and Madison Counties;
- (c) District 3: Deer Lodge, Granite, and Powell Counties;
- (d) District 4: Missoula, Mineral, and Ravalli Counties;
- (e) District 5: Flathead, Lake, Sanders, and Lincoln Counties;
- (f) District 6: Toole, Glacier, Teton, and Pondera Counties;
- (g) District 7: Hill, Liberty, and Blaine Counties;
- (h) District 8: Cascade and Chouteau Counties;
- (i) District 9: Fergus, Judith Basin, Wheatland, and Petroleum Counties;
- (j) District 10: Gallatin, Meagher, Park, and Sweet Grass Counties;
- (k) District 11: Yellowstone, Big Horn, Carbon, Stillwater, Golden Valley, and Musselshell Counties;
- (l) District 12: Custer, Rosebud, Treasure, Powder River, Fallon, and Carter Counties;
- (m) District 13: Dawson, Richland, McCone, Garfield, Prairie, and Wibaux Counties;
- (n) District 14: Phillips, Valley, Roosevelt, Sheridan, and Daniels Counties.

(2) The plan must provide for:

(a) consolidation of the following offices in each district:

- (i) sheriff;
- (ii) clerk of the district court;
- (iii) county attorney;
- (iv) county superintendent of schools;
- (v) county surveyor;
- (vi) county treasurer;
- (vii) coroner;
- (viii) public administrator;
- (ix) county clerk and recorder;
- (x) county commissioners;

(b) revision of any judicial districts defined in 3-5-101 that do not fall wholly within a district defined under this section, with appropriate adjustments in the number of judges assigned to each judicial district under 3-5-102; and

(c) consolidation of the offices of school superintendents for contiguous second- and third-class elementary school districts.

(3) (a) The commission's plan for consolidation of services must designate one county seat as the central location for each office listed in subsection (2)(a) and, except as provided in subsection (3)(b), provide for a branch office staffed by one or more deputies in each of the other counties in the district.

(b) The plan must provide that, while a district court may be held in each county within a district, each district is served by only one clerk of the district court.

(4) If the plan calls for consolidation of the offices of school superintendents for two or more elementary school districts, it must include a procedure by which the trustees of the school districts shall select the superintendent and designate a convenient location for the consolidated superintendent's office.

(5) The commission's plan for consolidation of services may not propose to:

(a) alter county boundaries;

(b) relocate a county seat; or

(c) consolidate elementary school districts."

16. Page 4, line 14.

Strike: "(2)"

Insert: "Section 5. Public hearings."

Renumber: subsequent sections

17. Page 4.

Following: line 15

Insert: "county boundary"

18. Page 4, line 17.

Following: "in"

Insert: "at least"

19. Page 4, line 18 through line 2, page 5.

Renumber: subsections (a) through (j) as (1) through (10)

20. Page 5, lines 6 and 7.

Following: "COMMISSION"

Strike: remainder of line 6 through line 7 in its entirety

Insert: "to prepare the plans required by section 1."

21. Page 5, line 8 through line 1, page 6.

Following: "Section 5."

Strike: remainder of line 8 through "recommendations" on page 6, line 1

Insert: "Disposition of plans. (1) The county boundary commission shall submit its plan for county consolidation and reorganization to the 51st legislature. The legislature shall return the plan with its recommendations within 30 days of submission. Within 30 days after the plan is returned to the commission, it"

22. Page 6, lines 1 and 2.

Following: “distributed”

Strike: “, following legislative review,”

23. Page 6.

Following: line 9

Insert: “(2) The commission shall submit its plan for consolidation of services to the 51st legislature in the form of bills drafted by legislative council staff and sponsored by the chairman of the legislative council. Each bill must provide for the consolidation of a specific office in each of the 14 districts described in section 4 or other districts defined by the commission.”

And, as amended, do pass. Report adopted.

HB 881, introduced bill, be amended as follows:

1. Title, lines 14 and 15.

Strike: “REVISING” on line 14 through “;” on line 15

2. Title, line 18.

Following: “DATE”

Insert: “AND A TERMINATION DATE”

3. Page 3, line 21.

Following: “program”

Insert: “, other than a jail,”

4. Page 5, lines 10 and 11.

Strike: “or” on line 10 through “statute” on line 11

5. Page 5, line 13.

Strike: “or”

Following: “town”

Insert: “, or consolidated government”

6. Page 5, line 20.

Strike: “sentencing”

Insert: “district court”

7. Page 5, lines 23 and 24.

Strike: “a” on line 23 through “government” on line 24

Insert: “the department”

8. Page 6, line 7.

Strike: “10”

Insert: “nine”

9. Page 6, line 12.

Following: “probation”

Insert: “and parole”

10. Page 6, line 13.

Strike: subsection (e) in its entirety

Renumber: subsequent subsections

11. Page 7, line 24.

Strike: “remain in”

Insert: “be remanded to”

12. Page 7, line 25 through line 2, page 8.

Strike: “corrections” on line 25, page 7 through “offender” on line 2, page 8

Insert: "sheriff of the county in which the facility is located. The corrections board shall notify in writing the sentencing judge who, after considering the board's reasons for rejection, shall appropriately modify the sentencing order"

13. Page 8, line 16.

Following: "agreement"

Insert: "with the department"

Following: "provide"

Insert: "community correctional"

14. Page 8, lines 16 and 17.

Following: "services" on line 16

Strike: "to" through "district" on line 17

15. Page 9, lines 4 and 5.

Strike: "a" on line 4 through "officer" on line 5

Insert: "the sheriff of the county in which the facility is located. The nongovernmental agency shall notify in writing the sentencing judge who, after considering the agency's reasons for rejection, shall appropriately modify the sentencing order"

16. Page 9, line 6.

Strike: "sentencing"

Insert: "district court"

17. Page 9, line 8.

Strike: "A sentencing"

Insert: "Subject to the restrictions contained in this section, a district court"

18. Page 9, lines 11 through 16.

Strike: "Such" on line 11 through "." on line 16

Insert: "If a judge orders placement of an offender in a community correctional facility or program, the judge shall indicate in the sentencing order that the offender would have been sentenced to prison if the community correctional facility or program had not been available."

19. Page 9, line 22.

Strike: "judicial district"

Insert: "department"

20. Page 9.

Following: line 24

Insert: "(3) A judge may not order placement of an offender in a residential community correctional facility or program for a period exceeding 1 year. After completing the residential community correctional portion of his sentence, an offender shall serve the remainder of his sentence under normal probation supervision, if applicable.

(4) An offender placed in a community correctional facility or program is not eligible for parole."

Renumber: subsequent subsections

21. Page 9, line 25.

Following: "probation"

Insert: "and parole"

22. Page 10, line 1.

Strike: "sentencing"

Insert: "district court"

23. Page 10, lines 5 through 16.

Strike: subsections (4) and (5) in their entirety

24. Page 10, line 20.

Following: "minimum"

Insert: "operating"

25. Page 10, lines 23 and 24.

Strike: "a" on line 23 through "district" on line 24

Insert: "the department"

26. Page 11, line 8.

Strike: "established"

Insert: "negotiated"

Strike: "legislative appropriation"

Insert: "the department"

27. Page 11, line 14.

Following: "agreement"

Insert: "with the director of the community correctional facility or program,"

28. Page 11, lines 20 and 21.

Following: "to" on line 20

Strike: "a" through "agency" on line 21

Insert: "the community correctional facility or program"

29. Page 11, line 21.

Following: "for"

Insert: "a portion of"

30. Page 11, line 22.

Strike: "residential" through "corrections"

Strike: ","

Insert: ". The reimbursement rate must be reasonable, depending on the offender's employment status and other financial obligations, but under no circumstances may the room and board charges exceed 20% of the offender's net income."

31. Page 12.

Following: line 10

Insert: "NEW SECTION. Section 11. Good time allowances. If an offender successfully completes the residential community correctional portion of his sentence, he accrues a good time allowance at a rate of 1 day of good time for each day served in the facility or program. The good time allowance operates as a credit on the remainder of his sentence."

Renumber: subsequent sections

32. Page 13, line 5.

Following: "for"

Insert: "comparable"

33. Page 13, line 14.

Following: "any"

Insert: "existing"

34. Page 13, lines 14 through 16.

Strike: "authorized" on line 14 through "programs" on line 16

35. Page 16, lines 16 and 17.

Strike: subsection (ix) in its entirety

Renumber: subsequent subsections

36. Page 17, line 4.

Strike: "(1)(a)(xii)"

Insert: "(1)(a)(xi)"

37. Page 18, line 3.

Strike: "(1)(a)"

Insert: "(2)"

Strike: "and"

38. Page 18, line 4.

Following: "~~45-9-103~~(2)"

Insert: ", 45-9-101(2) and (3), 45-9-102(3), and 45-9-103(2)"

39. Page 18, line 14.

Following: "·"

Insert: "(6) Except as provided in 46-18-222, imposition of sentence in a felony case may not be deferred in the case of a defendant who has been convicted of a felony on a prior occasion whether or not the sentence was imposed, imposition of the sentence was deferred, or execution of the sentence was suspended."

Re-number: subsequent subsection

40. Page 18, line 23.

Strike: "\$1,500,000"

Insert: "\$750,000"

41. Page 19, line 2.

Strike: "two"

Insert: "one"

42. Page 19, lines 3 through 5.

Strike: "facilities" on line 3 through "each" on line 5

43. Page 19, line 11.

Following: "date"

Insert: "— termination"

44. Page 19, line 12.

Following: "1987"

Insert: ", and terminates June 30, 1989"

Committee attached the following statement of intent:

Statement of Intent

HB 881

A statement of intent is required for this bill because section 9 grants the department of institutions authority to adopt rules necessary to carry out the provisions of this act.

It is the intent of the legislature that the department adopt regulations and standards for the operation of community correctional facilities and programs. In adopting such rules, the department shall comply with the requirements established under section 9. In addition, the department should consider the goals of this act, which are:

(1) to reduce reliance upon the Montana state prison for detention of low-risk, nonviolent felony offenders;

(2) to increase services to offenders to help them become productive members of society;

(3) to require offenders to pay restitution to crime victims;

(4) to impose upon offenders responsibility for payment of a portion of the costs of their room and board at community correctional facilities;

(5) to decentralize authority from state government to local governments;

(6) to stimulate local participation in the establishment of community correctional facilities and programs;

(7) to reduce the long-term costs of adult corrections; and

(8) to reduce court commitments to the state prison, thereby reducing the long-term capital construction costs for the Montana state prison and other correctional facilities.

To ensure the success of the community correctional program, the department, when contracting for services, should consider a potential service provider's knowledge, background, and special expertise in the area of postconviction diversion community correctional programs.

Prior to adopting rules under this act, the department should examine community corrections programs established in other states, especially in the states of Colorado, Iowa, Minnesota, Oregon, and Wyoming. In addition, the input of potential service providers should be encouraged during the rulemaking process.

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman): 3/21/87
SB 111, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman): 3/19/87
 Adverse Committee Reports

HB 858, as amended, do not pass. Chairman Ramirez moved to adopt the committee report. Representative Cohen made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. The Cohen motion failed. (46-50)

The adverse committee report was adopted as follows:

Ayes: Asay, D. Brown, Campbell, Cobb, Cody, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Switzer, Swysgood, Thoft, Wallin, Williams, Winslow, Mr. Speaker.
 Total 54

Noes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Gould, Harrington, Hoffman, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Nisbet, Pavlovich, Peck, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swift, Thomas, Vincent, Whalen.
 Total 41

Excused: Hannah, Moore.
 Total 2

Absent or not voting: Hansen, Harper, Poulsen.
 Total 3

MESSAGES FROM THE OTHER HOUSE

The Senate, on 3/18/87, failed to concur in House amendments to SB 256 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 256.

The President appointed the following members:

Senator Pinsoneault, Chairman

Senator Beck
Senator Brown

House bill not concurred in and returned to the House: 3/19/87

HJR 10, introduced by Sands

House bill indefinitely postponed and returned to the House: 3/19/87

HB 473, introduced by Brandewie

House bills concurred in and returned to the House: 3/20/87

HB 240, introduced by Thomas

HB 359, introduced by Grady

HB 569, introduced by Grady

HB 580, introduced by Swysgood

HB 589, introduced by Koehnke

HB 605, introduced by J. Brown

HB 669, introduced by Harp

HB 689, introduced by Swift

HB 722, introduced by Cobb

HJR 13, introduced by Keenan

HJR 36, introduced by Swift

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/20/87

HB 163, introduced by Mercer

HB 256, introduced by Pistoria

HB 443, introduced by Corne'

HB 546, introduced by Fritz

HB 579, introduced by Cobb

HB 640, introduced by Swift

HB 699, introduced by Wallin

HB 752, introduced by Winslow

House bill concurred in with Statement of Intent added and returned to the House for concurrence in the Statement of Intent: 3/20/87

HB 803, introduced by Campbell

House bill not concurred in and returned to the House: 3/20/87

HB 315, introduced by Hoffman

The Senate, on 3/20/87, requested the return of the following House bill for further consideration:

HB 506, introduced by Hansen

House amendments to Senate bills concurred in: 3/20/87

SB 83, introduced by Mazurek

SB 85, introduced by Gage

SB 247, introduced by Meyer

SB 260, introduced by Harding

SB 263, introduced by B. Williams

SB 277, introduced by Hofman

SB 382, introduced by Jergeson

The Senate, on 3/20/87, failed to concur in House amendments to SB 151 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 151.

The President appointed the following members:

Senator Galt, Chairman
 Senator Walker
 Senator Stimatz

House bills concurred in and returned to the House:

3/21/87

HB 180, introduced by Fritz

HB 188, introduced by Bradley

HB 242, introduced by Harper

HB 389, introduced by Brandewie

HB 505, introduced by Menahan

HB 574, introduced by Pavlovich

HJR 19, introduced by Miles

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/21/87

HB 220, introduced by DeMars

HB 779, introduced by Schye

House amendments to Senate bills concurred in:

3/21/87

SB 6, introduced by Lybeck

SB 18, introduced by Pinsoneault

SB 68, introduced by Gage

SB 138, introduced by Hager

SB 141, introduced by Bengtson

SB 144, introduced by Blaylock

SB 186, introduced by B. Williams

SB 202, introduced by Weeding

MOTIONS

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 151. Motion carried.

The Speaker appointed Representatives Thoft, Iverson, and Holliday to that conference committee.

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 256. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 741 - Representative Harp moved that HB 741 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Squires, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.
Total 79

Noes: D. Brown, Campbell, Giacometto, Hayne, Keenan, Keller, Miles, Nisbet, Pistoria, Quilici, Schye, Smith, Spaeth, Stang, Swift, Swysgood, Wallin, Mr. Speaker.
Total 18

Excused: Hannah, Moore.
Total 2

Absent or not voting: Poulsen.
Total 1

HB 813 - Representative Cohen moved that HB 813 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 78

Noes: Asay, Brandewie, D. Brown, Campbell, Driscoll, Giacometto, Glaser, Grinde, Hayne, Jenkins, Jones, Keller, Menke, Meyers, Phillips, Rehberg, Sales, Swysgood, Mr. Speaker.
Total 19

Excused: Hannah, Moore.

Total 2

Absent or not voting: Strizich.

Total 1

HB 382 - Representative Connelly moved that HB 382 be placed below HB 880 on the second reading board because the amendment needs to be distributed. Motion carried.

HB 776 - Representative Nathe moved that HB 776, second reading copy, be amended. After debate, Representative Nathe made a substitute motion that HB 776 be placed below HB 782 on the second reading board for amendment. Motion carried.

HB 821 - Representative Daily moved that HB 821 be placed below HB 382 on the second reading board for amendment. Motion failed. (49-51)

Representative Keenan moved that HB 821 do pass. Representative Daily made a substitute motion that HB 821, second reading copy, be amended. Representative Donaldson pointed out a technical error on the amendment.

Representative Daily made a substitute motion that HB 821 be placed below HB 382 on the second reading board to correct the amendment. Motion failed. (49-51)

Representative Marks made a substitute motion to all motions pending that the House temporarily stand at ease to correct the amendment. Motion carried.

Committee of the Whole came to order.

Representative Daily withdrew his amendment to HB 821 and moved that HB 821, second reading copy, be amended as follows:

1. Page 4, line 7.

Strike: "All"

Insert: "Eighty percent of all the"

2. Page 4.

Following: line 12

Insert: "20% of all the revenue from the surtax provided in [section 1] shall be deposited in an account in the state special revenue fund to the credit of the office of public instruction to be spent for the operation of the vo-tech centers, in accordance with an expenditure appropriation by the legislature."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Gould, Grinde, Hansen, Harper, Harrington, Hayne, Holliday, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Stratford, Strizich, Vincent, Whalen, Williams.

Total 56

Noes: Asay, Cohen, Compton, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Grady, Hanson, Harp, Hoffman, Iverson, Jones, Keller, Menke,

Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Peterson, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 42

Excused: Hannah, Moore.
Total 2

Absent or not voting: None.
Total 0

HB 821, as amended, failed to pass. (47-53)

Representative Hannah present at this time.

Representative Hannah moved that HB 821, as amended, do not pass.
Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miller, Nelson, Patterson, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sands, Simon, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 52

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams.
Total 48

Paired: Hannah, Rehberg, Ayes; Keenan, Moore, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 816 - Representative Asay moved that HB 816, second reading copy, be amended as follows:

1. Page 1, line 22.

Following: "MONTHS"

Insert: "or has been acquired in an arm's-length transaction by an unrelated person, including an acquisition in a foreclosure sale or bankruptcy proceeding"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford,

Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Brandewie, Bulger, Cohen, Driscoll, Hansen, McCormick, Pavlovich, Ream, Squires, Whalen.

Total 10

Excused: Moore.

Total 1

Absent or not voting: D. Brown, Harrington.

Total 2

Representative Asay moved that HB 816, as amended, do pass. After debate, Representative Asay made a substitute motion that HB 816 be placed at the bottom of the second reading board for amendment. Motion carried. (53-43)

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (62-34)

UNFINISHED BUSINESS

The Speaker appointed Representatives Mercer, Grady, and Russell to the conference committee on the House amendments to SB 256.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 892, introduced by Cohen, Keenan. Referred to Committee on Taxation.

HJR 47, introduced by Pistoria, Eudaily, Lory, Nisbet, Schye, Sands, Glaser, Phillips, Kennerly, Fritz, Manning, Whalen, McCormick. Referred to Committee on Education and Cultural Resources.

HJR 48, introduced by Spaeth, Hoffman, Swift, Vincent, M. Williams, Harp, Addy, Holliday, Harper, Bradley, Ramirez, Sands, Regan, Neuman. Referred to Committee on Taxation.

MOTIONS

Representative Menahan moved that he be allowed to change his vote on the Daily amendment to HB 821 on second reading from no to yes. Motion carried.

Representative Hannah moved that the House stand in recess until 3:30 p.m. for lunch. Motion carried.

House recessed at 2:10 p.m.

House reconvened at 3:45 p.m.

Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Peck excused at this time.

HB 377 - Representative Fritz moved that HB 377, second reading copy, be amended as follows:

1. Page 43, line 8.

Strike: “; (v)” through “premises” on line 11

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 81

Noes: D. Brown, Glaser, Gould, Hanson, Jones, Keller, Kennerly, McCormick, O'Connell, Patterson, Pavlovich, Poulsen, Smith, Wallin, Whalen.

Total 15

Excused: Moore, Peck.

Total 2

Absent or not voting: Addy, Connelly.

Total 2

Representative Fritz moved that HB 377, second reading copy, be further amended as follows:

1. Page 42, line 13.

Following: “users”

Strike: “and who” through “heat” on line 14

2. Page 42, line 16.

Following: “users”

Strike: “and who” through “heat” on line 17

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: O'Connell.

Total 1

Excused: Moore, Peck.

Total 2

Absent or not voting: Wallin.

Total 1

Representative Fritz moved that HB 377, second reading copy, be further amended. Amendment failed. (46-50)

Representative Patterson moved that HB 377, second reading copy, be further amended as follows:

1. Page 64, line 18.

Following: "state"

Insert: ", the collection of the per capita fee,"

2. Page 65, line 1.

Following: "fees"

Insert: "and for the collection costs of the per capita fee"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Hansen, Harrington, McCormick, Miles, O'Connell.

Total 5

Excused: Moore, Peck.

Total 2

Absent or not voting: Harper, Poulsen, Strizich.

Total 3

Representative Ramirez moved that HB 377, second reading copy, be further amended as follows:

1. Title, page 2, line 6.

Following: "15-6-142"

Insert: ", "

Strike: "THROUGH"

2. Page 91, line 6.

Strike: ":",

3. Page 91, line 7.

Strike: "(a)"

4. Page 91, lines 7 through 11.

Following: "i" on line 7

Strike: remainder of line 7 through "quantity" on line 11

5. Page 145, line 11.

Following: "on"

Strike: "real"

Following: "property"

Strike: "and"

6. Page 145, line 12.

Strike: "improvements"

Insert: "subject to taxation under Title 15."

7. Page 166, lines 6 and 21.

Page 167, line 20.

Page 168, line 13.

Page 169, line 6.

Following: "121"

Insert: "and 129"

8. Page 166, lines 11 and 15.

Following: "with" on lines 11 and 15

Insert: "approximately"

9. Page 170, line 18.

Following: "15-6-142"

Insert: ", "

Strike: "through"

10. Page 172, line 11.

Following: "121"

Strike: "and 129"

11. Page 172, line 16.

Following: "through"

Insert: "128 and 130 through"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connolly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Hansen, McCormick, Nisbet, O'Connell, Pistoria.

Total 5

Excused: Moore, Peck.

Total 2

Absent or not voting: Harper.

Total 1

Representative Ramirez moved that HB 377, second reading copy, be further amended as follows:

1. Title, page 2, line 6.

Following: "15-6-142"

Strike: "THROUGH 15-6-144"

Insert: “, 15-6-143”

2. Page 106, line 20.

Following: “residence”

Insert: “assessed and taxed as class four property under 15-6-134”

3. Page 170, line 18.

Following: “15-6-142”

Strike: “through 15-6-144”

Insert: “, 15-6-143”

Amendment passed as follows:

Ayes: Asay, Bardanouve, Bradley, J. Brown, Cobb, Cody, Compton, Connelly, Daily, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Lory, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Peterson, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Sands, Simon, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Winslow, Mr. Speaker.

Total 59

Noes: Addy, Bachini, Brandewie, D. Brown, Bulger, Campbell, Cohen, Corne, Darko, DeMars, Ellison, Glaser, Grinde, Hansen, Hanson, Holliday, Jones, Kennerly, Koehnke, McCormick, Manuel, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Vincent, Williams.

Total 39

Excused: Moore, Peck.

Total 2

Absent or not voting: None.

Total 0

Representative Ramirez moved that HB 377, second reading copy, be further amended as follows:

1. Title, page 1, line 22.

Following: “15-8-111,”

Strike: “~~15-8-202,~~”

2. Title, page 2, line 2.

Following: “37-7-407,”

Strike: “~~61-3-432,~~”

Following: “61-3-501,”

Strike: remainder of line 2

3. Title, page 2.

Following: line 2

Strike: “61-12-206,”

4. Title, page 2, line 9.

Following: “15-24-943,”

Strike: “61-3-502, 61-3-605,”

5. Page 12, line 19.

Following: “(2)”

Strike: “and (3)”

Insert: “through (4)”

6. Page 13.

Following: line 8

Insert: "(4) The sales and use tax imposed on the sales of new motor vehicles is 2 ½%. The sales and use tax is in addition to the tax imposed under 61-3-502."

7. Page 112, line 9 through page 113, line 15.

Strike: section 82 in its entirety

Renumber: subsequent sections

8. Page 145, line 13 through page 146, line 25.

Strike: section 103 in its entirety

Renumber: subsequent sections

9. Page 148, line 6 through page 150, line 4.

Strike: sections 105 through 107 in their entirety

Renumber: subsequent sections

10. Page 170, line 21.

Following: "15-24-943,"

Strike: "61-3-502, 61-3-605,"

11. Page 166, line 6.

Following: "through"

Strike: "121"

Insert: "116"

12. Page 166, line 8.

Following: "section"

Strike: "123"

Insert: "118"

13. Page 167, line 20.

Following: "through"

Strike: "121"

Insert: "116"

14. Page 168, line 11.

Following: "section"

Strike: "123"

Insert: "118"

15. Page 169, line 6.

Following: "through"

Strike: "121"

Insert: "116"

16. Page 170, line 8.

Following: "sections"

Strike: "123 through 128"

Insert: "118 through 123"

17. Page 170, line 9.

Following: "section"

Strike: "123"

Insert: "118"

18. Page 170, line 14.

Following: "section"

Strike: "118"

Insert: "113"

19. Page 172, line 1.

Following: "sections"

Strike: "122 through 128, 135"

Insert: "117 through 123, 130"

20. Page 172, line 3.

Following: "Sections"

Strike: "122 through 128, 135"

Insert: "117 through 123, 130"

21. Page 172, line 11.

Following: "through"

Strike: "121"

Insert: "116"

22. Page 172, line 16.

Following: "Sections"

Strike: "122 through 135"

Insert: "117 through 130"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 80

Noes: Bachini, D. Brown, Corne', Glaser, Hansen, Kennerly, Koehnke, McCormick, Nisbet, Pistoria, Ream, Schye, Squires, Vincent.
Total 14

Excused: Moore, Peck.

Total 2

Absent or not voting: Darko, Mercer, O'Connell, Raney.

Total 4

Representative Harp excused at this time.

Representative Ramirez moved that HB 377, second reading copy, be further amended as follows:

1. Page 68, line 22.

Strike: "13.8%"

Insert: "14.82%"

2. Page 69, line 8.

Strike: "32.5%"

Insert: "33%"

3. Page 71, line 14.

Strike: "44%"

Insert: "45%"

4. Page 72, line 3.

Strike: "45%"

Insert: "46%"

5. Page 72, line 24.

Strike: "45%"

Insert: "46%"

6. Page 74, line 11.

Strike: "32%"

Insert: "33%"

7. Page 74, line 22.

Strike: "14.5%"

Insert: "15%"

8. Page 75, line 9.

Strike: "32.5%"

Insert: "33%"

9. Page 76, line 7.

Strike: "32.5%"

Insert: "33%"

10. Page 76, line 23.

Strike: "32.5%"

Insert: "33%"

11. Page 79, line 11.

Strike: "32.5%"

Insert: "33%"

12. Page 84, line 8, line 12, and line 18.

Strike: "52%"

Insert: "53%"

13. Page 85, lines 13 and 17.

Strike: "52%"

Insert: "53%"

14. Page 103, line 4.

Strike: "6%"

Insert: "5%"

15. Page 165, line 18.

Strike: "14.5%"

Insert: "15%"

Amendment passed as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 63

Noes: Addy, Bardanouve, Bradley, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.
Total 35

Paired: Harp, Ramirez, Rehberg, Ayes; Harrington, Moore, Peck, Noes.

Excused: None.

Total 0

Absent or not voting: O'Connell, Pistoria.

Total 2

Representative Ramirez moved that HB 377, second reading copy, be further amended as follows:

1. Title, line 17.

Following: "LIABILITY,"

Insert: "PROVIDING THAT A PERSON COLLECTING THE SALES AND USE TAX BE ALLOWED TO RETAIN 1 PERCENT OF THE COLLECTIONS TO COVER THE COSTS OF COLLECTING THE TAX,"

2. Page 27, line 6.

Following: "section"

Insert: ", less 1% which may be retained by the corporation or retailer to cover the costs of collection,"

3. Page 45, line 16.

Following: "due"

Insert: "less 1% which 1% may be retained by the person making the remittance to cover the costs of collection"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Brandewie, Driscoll, Kadas, Kennerly, Menahan, Nisbet, Russell.

Total 7

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: O'Connell, Pistoria.

Total 2

Representative Patterson moved that HB 377, second reading copy, be further amended as follows:

1. Page 43, line 1.

Strike: ", except"

Insert: "and"

Following: "tires"

Strike: ",

2. Page 43, line 4.

Following: "machinery"

Insert: "and logging and construction equipment"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Corne', DeMars, Devlin, Donaldson, Driscoll, Ellison, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Ream, Russell, Sales, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 64

Noes: Addy, Bradley, J. Brown, Bulger, Cohen, Connelly, Daily, Darko, Eudaily, Fritz, Giacometto, Hannah, Kadas, Kennerly, McCormick, Menahan, Miller, Nisbet, Pavlovich, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Whalen.

Total 29

Excused: Harp, Moore, Peck.

Total 3

Absent or not voting: Hansen, Harper, O'Connell, Spaeth.

Total 4

Representatives Williams and Russell excused at this time.

Representative Sands moved that HB 377, second reading copy, be further amended. Representative Rapp-Svrcek asked that the amendment be divided. The Chair ruled that it be divided.

The first half of the amendment failed to pass. (42-56)

The second half of the amendment failed to pass. (44-54)

Representative Vincent moved that HB 377, second reading copy, be further amended. Amendment failed. (42-58)

Representative Vincent moved that HB 377, second reading copy, be further amended. Amendment failed. (43-57)

Representative Russell present at this time.

Representative Vincent moved that HB 377, second reading copy, be further amended. Amendment failed. (45-55)

Representative Harrington excused at this time.

Representative Raney moved that HB 377, second reading copy, be further amended. Representative Ramirez asked that the amendment be divided. The Chair ruled that the amendment be divided.

Section one of the amendment reads as follows:

1. Page 106, line 20.

Following: "single-family"

Insert: "owner-occupied"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria,

Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 83

Noes: Brandewie, Campbell, Grady, Hannah, Hansen, Hoffman, Nelson, Sales, Sands, Stratford, Swift.
Total 11

Excused: Harp, Harrington, Moore, Peck, Williams.
Total 5

Absent or not voting: Menke.
Total 1

Section two of the amendment failed to pass. (39-55)

Representative Ramirez moved that HB 377, as amended, do pass.
Representative Spaeth made a substitute motion that HB 377, second reading copy, be further amended. Amendment failed. (47-53)

Representative Harp present at this time.

Representative Poulsen moved that HB 377, second reading copy, be further amended as follows:

1. Title, page 2, lines 10 through 12.

Following: "MCA;"

Strike: remainder of line 10 through ";" on line 12

2. Pages 166 through 170.

Strike: sections 122 through 128 in their entirety

Renumber: subsequent sections

3. Page 171, line 25 through line 2, page 172.

Strike: "dates. (1)"

Insert: "date."

Strike: ", except" through section,"

Following: "effective"

Strike: "upon"

Insert: "on passage and"

Following: "approval"

Strike: "by the electorate"

4. Page 172, line 11.

Strike: "116"

Insert: "117"

5. Page 172, line 16.

Following: "Sections"

Strike: "122 through 135"

Insert: "118 through 123"

Following: "passage"

Insert: "and approval"

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 54

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 46

Paired: Hannah, Ramirez, Rehberg, Mr. Speaker, Ayes; Harrington, Moore, Peck, Williams, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 377, as amended, passed as follows:

Ayes: Asay, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Mercer, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thomas, Vincent, Whalen, Williams.

Total 48

Paired: Devlin, Eudaily, Ramirez, Sands, Ayes; Harrington, Moore, Peck, Williams, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Representative D. Brown made a substitute motion that HB 377 be segregated from the committee report to wait for a fiscal note. Motion failed. (45-55) Committee of the Whole report adopted. (55-45)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 84 passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser,

Gould, Grady, Grinde, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 79

Noes: Bachini, Bardanouve, Cobb, Driscoll, Hannah, Hansen, Hayne, Menahan, Mercer, Nisbet, Poff, Rapp-Svrcek, Stang, Strizich, Thoft, Whalen.

Total 16

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: O'Connell.

Total 1

HB 185 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Giacometto, Mercer, Meyers, Sales.

Total 4

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: O'Connell.

Total 1

HB 243 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Cobb, Giacometto, Grinde, Menke, Stang, Swift.

Total 7

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: Kadas, O'Connell.

Total 2

HB 259 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Ellison, Grinde, Switzer.

Total 4

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: O'Connell.

Total 1

HB 617 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Giacometto, Grinde, Hannah, Meyers, Sales.

Total 6

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 709 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen,

Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 93

Noes: Cohen, Whalen.

Total 2

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: Ellison.

Total 1

HB 716 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Grady, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Whalen, Winslow.

Total 72

Noes: Campbell, Cobb, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hayne, Jones, Kitselman, Koehnke, Menke, Mercer, Meyers, Peterson, Sales, Simon, Smith, Stang, Swift, Swysgood, Wallin, Mr. Speaker.

Total 24

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 730 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Giacometto.

Total 2

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 751 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Petersen, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 91

Noes: Bardanoue, Cohen, Hansen, Meyers, Whalen.

Total 5

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 851 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 81

Noes: Bardanoue, Bulger, Cody, Fritz, Harper, Keenan, Koehnke, Miles, Nisbet, Poff, Schye, Spaeth, Stang, Swift, Whalen.

Total 15

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 852 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 876 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 81

Noes: Driscoll, Fritz, Glaser, Hoffman, Kadas, Keenan, Koehnke, Nisbet, Quilici, Raney, Ream, Sales, Stang, Strizich, Whalen.

Total 15

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HJR 43 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

SB 114 concurred in as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 92

Noes: Bachini, Bardanouve, Driscoll, Spaeth.
Total 4

Excused: Harrington, Moore, Peck, Williams.
Total 4

Absent or not voting: None.
Total 0

SB 118 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.
Total 85

Noes: Asay, Cobb, Hannah, Koehnke, Poulsen, Sales, Swift, Switzer, Whalen.
Total 9

Excused: Harrington, Moore, Peck, Williams.
Total 4

Absent or not voting: Ellison, Russell.
Total 2

SB 136 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 92

Noes: Gilbert, Hannah, Poulsen, Sales.

Total 4

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

SB 176 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: Meyers.

Total 1

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

SB 306 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Fritz.

Total 1

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: Bulger.

Total 1

SB 374 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Cody, Switzer.

Total 2

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 19, Senate amendments, concurred in as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 86

Noes: Addy, Bulger, Campbell, Daily, Driscoll, Fritz, Giacometto, Miles, Raney, Roth.

Total 10

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 388, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 682, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: Spaeth.

Total 1

HB 792, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

HB 815, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Driscoll.

Total 2

Excused: Harrington, Moore, Peck, Williams.

Total 4

Absent or not voting: None.

Total 0

MOTIONS

Representative Jenkins moved that HB 739 be taken from the table in the Committee on Taxation and printed and placed on second reading. This bill exempted certain properties and improvements from taxation. Motion failed. (34-60)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 11:00 a.m., March 23, 1987.

Motion carried.

House adjourned at 11:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 23, 1987

House Chambers
State Capitol

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Ellison. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-second and sixty-third legislative days, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1987

Dear Speaker Marks:

Please be informed that I signed House Bill No. 232 and Senate Bill 326 on March 23, 1987. House Bills No. 37, 80, 93, 117, 129, 131, 142, 189, 197, 235, 248, 308, 343, 374, 413, 476, 489, 516, 517, 563, 585, 624, 635, 692, 717, and 734 were signed March 22, 1987.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative Menahan moved that the House accede to the request of the Senate and return HB 506 for further consideration, although the bill had gone to enrolling. Motion carried. (47-44)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Mercer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Harrington present at this time.

HB 863 - Representative Brandewie moved that HB 863, second reading copy, be amended. Amendment failed. (28-68)

Representative Cohen moved that HB 863, second reading copy, be amended. Amendment failed. (22-74)

Representative Thomas moved that HB 863, second reading copy, be amended. Amendment failed. (40-56)

Representative Wallin moved that HB 863, second reading copy, be amended as follows:

1. Page 11, lines 5 through 19.

Strike: subsections (N), (O), and (P) in their entirety

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Cohen, Spaeth.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Gould moved that HB 863, second reading copy, be further amended. Amendment failed. (22-76)

Representative Sands moved that HB 863, second reading copy, be further amended as follows:

1. Title, line 14.

Strike: "UNIVERSITY SYSTEM"

Insert: "GENERAL FUND"

2. Page 13, line 4.

Following: "~~deposit~~ in"

Strike: "an account" through "appropriation" on line 8

Insert: "the general fund"

Amendment passed as follows:

Ayes: Asay, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Jones, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Strizich, Swift, Switzer, Thoft, Whalen, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Bachini, Bradley, Brandewie, D. Brown, Bulger, Cody, Corne', Daily, DeMars, Driscoll, Fritz, Gould, Hansen, Harp, Harrington, Holliday, Kadas, Keenan, Keller, Kennerly, Kitselman, McCormick, Miles, Nisbet, O'Connell, Peterson, Quilici, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Swysgood, Thomas, Vincent, Wallin, Williams.

Total 40

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Jenkins.

Total 2

Representative Wallin moved that HB 863, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cobb, Grady, Ramirez, Stang.

Total 4

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Mercer moved the adoption of the committee report. Report adopted. (97-1)

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 2:00 p.m. for lunch. Motion carried.

House recessed at 12:37 p.m.

House reconvened at 2:10 p.m.

Mr. Speaker in the Chair.

Representative Ellison moved that the rules be suspended to allow the late drafting and introduction of a resolution directing the Highway Department to use finer gravel in the sanding processes as his constituents were complaining about broken windshields. Motion failed. (43-43)

Representative Stang moved that HB 848 be moved below HB 656 on the second reading board because it also had to meet the transmittal deadline and should be considered before matters that did not. Motion carried.

Representative Hannah moved that the House stand in recess until 2:45 p.m. for party caucuses. Motion carried.

House recessed at 2:20 p.m.

House reconvened at 3:45 p.m.

Mr. Speaker in the Chair.

Representative Quilici excused at this time.

Representative Bradley moved that HB 496 be taken from the table in the Committee on Taxation and printed and placed on second reading. This bill deals with putting 1% of all construction projects in a trust fund to be used to fund other construction projects. Motion carried. (49-46)

Representative Raney moved that HB 138 be taken from the table in the Committee on Taxation and printed and placed on second reading. This is the residential property tax relief bill. Motion failed. (48-50)

Representative S. Hansen moved that the House reconsider its action in agreeing to send HB 506 back to the Senate, as requested. When informed the bill had already gone to the Senate, she withdrew the motion.

Representative Vincent moved that HB 701 be taken from the table in the Committee on Taxation and printed and placed on second reading this day. The bill deals with tax exemptions for elderly citizens. Motion failed. (48-51)

Representative Quilici present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 377 passed as follows:

Ayes: Asay, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Manuel, Menke, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Mercer, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thomas, Vincent, Whalen, Williams.

Total 48

Paired: Asay, Aye; Moore, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 741 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream,

Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Bulger, Keenan, Koehnke, Miles, Nisbet, Peck, Schye, Stang, Swift, Swysgood.

Total 10

Excused: Moore.

Total 1

Absent or not voting: DeMars, Grady, Menke, Meyers, Squires.

Total 5

HB 813 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Asay, D. Brown, Campbell, Cobb, Giacometto, Glaser, Hayne, Hoffman, Jenkins, Jones, Keller, Menke, O'Connell, Sales, Swysgood, Thomas.

Total 16

Excused: Moore.

Total 1

Absent or not voting: DeMars, Lory.

Total 2

SB 356 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Driscoll, Fritz, Giacometto, Hoffman, Jenkins, Koehnke, Peterson, Squires.

Total 8

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

SB 357 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Cohen.

Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Mercer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Iverson in the Chair.

HB 782 - Representative Sands moved that HB 782, second reading copy, be amended as follows:

1. Page 2, lines 6 through 8.

Following: "residents" on line 6

Strike: remainder of line 6 through "jurisdiction" on line 8

2. Page 3.

Following: line 19

Insert: "(5) If a general sales tax has been enacted and is in effect statewide, any 1% local option tax must be imposed on the same categories of goods and services, with the same exclusions and exemptions as the general sales tax."

Renumber: subsequent subsections

3. Page 4, lines 14 through 16.

Following: "state"

Strike: ":(a)"

Following: "liability"

Strike: "and"

Insert: "."

4. Page 4, line 17.

Strike: subsection (b) in its entirety

5. Page 4, line 19.

Following: "~~(4)~~"

Strike: "(7)"

Insert: "(8)"

6. Page 5, line 3.

Following: "(10)"

Insert: "(a)"

7. Page 5.

Following: line 5

Insert: "(b) A local option tax may be repealed pursuant to a proposal initiated by resolution of the governing body or by petition and submitted to the electorate, as provided in 7-5-131 through 7-5-137."

8. Page 8, line 20.

Following: "1985₂"

Strike: "and"

9. Page 8, line 21.

Following: "[section 3]"

Insert: "; and

(rr) [section 5]"

10. Page 9, line 18.

Following: "(2)"

Strike: "A"

Insert: "Except as provided in [section 3] and subsection (3), a"

11. Page 9.

Following: line 21

Insert: "(3) (a) A local option sales tax imposed after a general sales tax has been enacted and is in effect statewide must be administered by the department under rules adopted by the department for administering the general sales tax.

(b) Proceeds of a local option sales tax imposed after a general sales tax has been enacted and is in effect statewide must be credited to a special local option sales tax account in the fiduciary fund of the state treasury. The department shall distribute the proceeds to the jurisdictions in which they were collected on a quarterly basis, beginning the first day of April in the year following the election in which the tax was approved.

(c) The department may deduct from the money collected an amount not exceeding 1% to cover the cost of administering the tax. This deduction is statutorily appropriated, as provided in 17-7-502, for the purpose of paying the costs of collecting a local option sales tax imposed after a general sales tax has been enacted and is in effect statewide."

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Compton, Connelly, Corne', Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Williams, Mr. Speaker.

Total 66

Noes: Bachini, Bulger, Cobb, Cody, Cohen, Daily, Darko, DeMars, Driscoll, Hannah, Hansen, Harrington, Kadas, McCormick, Manuel, Menahan, Miles, Nelson, Nisbet, Pavlovich, Quilici, Raney, Russell, Schye, Stang, Thomas, Wallin, Whalen, Winslow.

Total 29

Excused: Moore.

Total 1

Absent or not voting: D. Brown, Kennerly, Koehnke, O'Connell.

Total 4

Representative Mercer moved that HB 782, second reading copy, be further amended. Amendment failed. (45-48)

Representative Mercer in the Chair.

Representative Patterson moved that HB 782, second reading copy, be further amended. Amendment failed. (28-67)

Representative Driscoll moved that HB 782, second reading copy, be further amended. Amendment failed. (42-55)

Representative Raney moved that HB 782, second reading copy, be further amended as follows:

1. Page 3, line 16.

Following: "(IV)"

Insert: "the value in excess of \$500 of"

2. Page 5.

Following: line 5

Insert: "(11) A taxing proposal authorizing an exemption described in subsection (4)(b)(iv) may not exempt from the sales tax the first \$500 or less of value of an item costing more than \$500."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Donaldson, Fritz, Giacometto, Gould, Hanson, Hayne, Hoffman, Ramirez, Roth, Thomas.

Total 10

Excused: Moore.

Total 1

Absent or not voting: Cobb, Pavlovich.

Total 2

Representative Poff excused at this time.

Representative Sands moved that HB 782, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Eudaily, Fritz, Hansen, Harp, Harrington, Hayne, Hoffman, Kadas, Keller, Kitselman, Koehnke, Lory, Meyers, Miles, Miller, Nathe, Peck, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Squires, Stratford, Strizich, Switzer, Swysgood, Vincent, Williams, Winslow, Mr. Speaker.
Total 52

Noes: Asay, Bachini, Brandewie, Cobb, Compton, DeMars, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, McCormick, Manuel, Menahan, Menke, Mercer, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ream, Russell, Smith, Spaeth, Stang, Swift, Thoft, Thomas, Wallin, Whalen.
Total 47

Paired: Poff, Aye; Keenan, No.

Excused: Moore.
Total 1

Absent or not voting: None.
Total 0

HB 776 - Representative Nathe moved that HB 776, second reading copy, be amended as follows:

1. Page 6, lines 20 and 21.
Following: "all the" on line 20
Strike: "natural gas,"
Following: "petroleum"
Strike: ","

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Darko, Driscoll, Fritz, Keenan, Nisbet, Rapp-Svrcek, Whalen.
Total 7

Excused: Moore, Poff.
Total 2

Absent or not voting: Cohen, Koehnke.
Total 2

Representative Nathe moved that HB 776, second reading copy, be further amended as follows:

1. Page 10, line 8.

Following: "is"

Insert: "taxed as follows:

(a) the first 30,000 cubic feet of gas produced is"

2. Page 10, line 9.

Following: "15-36-101"

Insert: "; and

(b) the next 30,000 cubic feet of gas produced is taxed at 1.59%"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bulger, Cody, Cohen, Darko, Driscoll, Kadas, Keenan, Nisbet, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Whalen.

Total 15

Excused: Moore, Poff.

Total 2

Absent or not voting: Connelly, Koehnke.

Total 2

Representative Nathe moved that HB 776, as amended, do pass.

Representative Schye made a substitute motion that HB 776, second reading copy, be further amended as follows:

1. Page 12.

Following: line 14

Insert: "NEW SECTION. Section 8. Coordination instruction. If House Bill No. 377 is passed and approved, this act is void."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Hansen, Harp, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Mercer, Meyers, Miles, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams.

Total 49

Noes: Asay, Campbell, Cobb, Compton, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Winslow.

Total 44

Excused: Moore, Poff.

Total 2

Absent or not voting: Brandewie, Eudaily, Gould, Manuel, Mr. Speaker.

Total 5

Representative Poff present at this time.

Representative Gould excused at this time.

HB 776, as amended, passed as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 64

Noes: Addy, Bardanouve, Bradley, Bulger, Cody, Cohen, Corne', Daily, Darko, DeMars, Driscoll, Hansen, Harp, Harper, Harrington, Kadas, Keenan, Kennerly, Menahan, Miles, Moore, Nisbet, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 36

Paired: Gould, Ramirez, Ayes; Keenan, Moore, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 842 - Representative Harrington moved that HB 842, second reading copy, be amended as follows:

1. Title, line 7.

Following: "**SUPPORT**"

Strike: " , "

Insert: "**AND**"

2. Title, line 8.

Following: "**EQUALIZATION**"

Strike: remainder of line 8

3. Title, line 17.

Strike: "**20-9-316 THROUGH**"

Insert: "**20-9-318,**"

4. Page 70, line 20 through page 73, line 19.

Strike: sections 38 and 39 in their entirety

Renumber: subsequent sections

5. Page 73, line 22.

Strike: "**1988-89**"

Insert: "**1987-88**"

6. Page 73, line 23.

Strike: "1988-89"

Insert: "1987-88"

7. Page 74, line 1.

Strike: "\$19,558"

Insert: "\$20,158"

8. Page 74, line 4.

Strike: "\$19,558"

Insert: "\$20,158"

9. Page 74, line 5.

Strike: "\$817.30"

Insert: "\$842.50"

10. Page 74, line 9.

Strike: "\$32,057"

Insert: "\$33,042"

11. Page 74, line 10.

Strike: "\$817.30"

Insert: "\$842.50"

12. Page 74, line 13.

Strike: "\$26,914"

Insert: "\$27,741"

13. Page 74, line 14.

Strike: "\$817.30"

Insert: "\$842.50"

14. Page 74, line 17.

Strike: "\$42,970"

Insert: "\$44,290"

15. Page 74, line 18.

Strike: "\$511.90"

Insert: "\$527.60"

16. Page 74, line 25.

Strike: "\$1,899"

Insert: "\$1,957"

Strike: "\$1.84"

Insert: "\$1.90"

17. Page 75, line 4.

Strike: "\$1,788"

Insert: "\$1,843"

18. Page 75, line 5.

Strike: "\$1.69"

Insert: "\$1.74"

19. Page 75, line 8.

Strike: "\$1,451"

Insert: "\$1,496"

20. Page 75, line 24.

Strike: "1988-89"

Insert: "1987-88"

21. Page 75, line 25.

Strike: "1988-89"

Insert: "1987-88"

22. Page 76, line 3.

Strike: "\$111,422"

Insert: "\$114,845"

23. Page 76, line 5.

Strike: "\$4,643"

Insert: "\$4,785"

24. Page 76, line 6.

Strike: "\$25.32"

Insert: "\$26.10"

25. Page 76, line 9.

Strike: "\$4,237"

Insert: "\$4,368"

26. Page 76, line 10.

Strike: "\$25.32"

Insert: "\$26.10"

27. Page 76, line 13.

Strike: "\$2,718"

Insert: "\$2,802"

28. Page 76, line 14.

Strike: "\$4.24"

Insert: "\$4.37"

29. Page 76, line 17.

Strike: "\$2,295"

Insert: "\$2,365"

30. Page 76, line 18.

Strike: "\$2.33"

Insert: "\$2.40"

31. Page 76, line 21.

Strike: "\$2,062"

Insert: "\$2,125"

32. Page 76, line 22.

Strike: "43"

Insert: "44"

33. Page 76, line 25.

Strike: "\$1,933"

Insert: "\$1,993"

34. Page 83, lines 22 and 25.

Strike: "43"

Insert: "41"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich,

Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 83

Noes: Asay, Cobb, Devlin, Donaldson, Giacometto, Hanson, Harp, Hoffman, Iverson, Keller, Menke, Ramirez, Sales, Sands, Switzer, Mr. Speaker.

Total 16

Paired: Gould, Aye; Devlin, No.

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Gould present at this time.

Representative Kadas moved that HB 842, second reading copy, be further amended as follows:

1. Page 11, line 4.

Following: "~~58.2%~~"

Strike: "~~61.7%~~"

Insert: "57.3%"

2. Page 11, line 6.

Following: "~~10.0%~~"

Strike: "~~9.1%~~"

Insert: "9.7%"

3. Page 11, line 9.

Following: "~~31.8%~~"

Strike: "~~29.2%~~"

Insert: "33.0%"

4. Page 17, line 11.

Following: "~~4%~~"

Strike: "~~3%~~"

Insert: "4%"

5. Page 17, line 14.

Strike: "\$135"

Insert: "\$180"

Following: "~~6%~~"

Strike: "~~5%~~"

Insert: "~~6%~~"

6. Page 17, line 15.

Following: "~~\$630~~"

Strike: "~~\$510~~"

Insert: "\$630"

7. Page 17, line 16.

Following: "~~8%~~"

Strike: "~~7%~~"

Insert: "8%"

8. Page 17, line 23.

Following: "~~4%~~"

Strike: "~~3%~~"

Insert: "4%"

9. Page 18, line 1.

Strike: "\$67.50"

Insert: "\$90"

Following: "6%"

Strike: "5%"

Insert: "6%"

10. Page 18, line 2.

Following: "\$315"

Strike: "\$255"

Insert: "\$315"

11. Page 18, line 3.

Following: "8%"

Strike: "7%"

Insert: "8%"

12. Page 83, line 15.

Following: "10%"

Strike: "20%"

Insert: "10%"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strazich, Vincent, Wallin, Whalen, Williams, Winslow.

Total 56

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Swift, Switzer, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 43

Paired: Moore, Aye; Ramirez, No.

Excused: None.

Total 0

Absent or not voting: Poulsen.

Total 1

Representative Phillips moved that HB 842, second reading copy, be further amended as follows:

1. Title, line 19.

Following: "THROUGH"

Insert: "15-30-115,"

2. Page 83, line 18.

Following: "through"

Insert: "15-30-115,"

Amendment passed as follows:

Ayes: Addy, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Winslow.
Total 64

Noes: Asay, Bardanouve, Bradley, Cody, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Hansen, Harper, Holliday, Kadas, Keenan, Manuel, Menahan, Miles, Nisbet, Peck, Pistoria, Poff, Quilici, Ramirez, Ream, Sales, Schye, Spaeth, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 33

Excused: Moore.
Total 1

Absent or not voting: Poulsen, Russell.
Total 2

Representative Sales excused at this time.

Representative Ramirez moved that HB 842, second reading copy, be further amended as follows:

1. Page 84.

Strike: lines 17 through 19 in their entirety

Insert: "NEW SECTION. Section 48. Coordination instruction. If House Bill No. 377 is not passed by the legislature and approved by the governor, this act is void."

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 52

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.
Total 48

Paired: Rehberg, Sales, Ayes; Moore, Rapp-Svrcek, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Russell excused at this time.

Representative Fritz moved that HB 842, second reading copy, be further amended. Amendment failed. (47-52)

Representative Harp moved that HB 842, as amended, do pass. Representative Vincent made a substitute motion that HB 842, second reading copy, be further amended as follows:

1. Page 84.

Following: line 16

Insert: "(4) Section 43 applies only to taxable years beginning after December 31, 1986, and ending prior to January 1, 1989."

2. Page 84.

Following: line 19

Insert: "NEW SECTION. Section 49. Section 43 terminates January 1, 1989."

After debate, the chairman declared a twenty minute recess.

Committee of the Whole recessed at 10:10 p.m.

The Committee of the Whole reconvened at 11:50 p.m.

Chairman Mercer in the Chair.

Representative Sales present at this time.

The Vincent amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore, Russell.

Total 2

Absent or not voting: None.

Total 0

Representative Sands moved that HB 842, second reading copy, be further amended. When a technical error was found, the Chairman announced that the committee would stand at ease until the error was corrected.

Committee returned to order.

Representative Sands withdrew the faulty amendment.

Representative Sands moved that HB 842, second reading copy, be further amended as follows:

1. Kadas amendment, dated 3/21/87, (12:00).

Strip: amendment in its entirety

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 49

Paired: Hannah, Thomas, Ayes; Moore, Russell, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 842, as amended, failed to pass. (25-75)

Representative Hannah moved that HB 842, as amended, do not pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Fritz, Giacometto, Glaser, Gould, Grinde, Hannah, Hansen, Harper, Harrington, Holliday, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Brandewie, Compton, Daily, Donaldson, Ellison, Eudaily, Gilbert, Grady, Hanson, Hayne, Hoffman, Iverson, Kadas, Keller, Lory, Menke, Meyers, Nathe, Peterson, Ramirez, Rehberg, Swift, Thomas.

Total 23

Paired: Moore, Russell, Ayes; Ramirez, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: Harp, Smith.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Mercer moved the adoption of the committee report. Report adopted. (55-42)

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/23/87

HB 4, introduced by Thoft

HB 66, introduced by Pavlovich

HB 263, introduced by Bachini

HB 424, introduced by Moore

HB 483, introduced by Bradley

HB 487, introduced by Thomas

HB 493, introduced by Nathe

HB 645, introduced by D. Brown

HB 769, introduced by Patterson

HJR 18, introduced by Connelly

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/23/87

HB 69, introduced by Hayne

HB 397, introduced by Spaeth

HB 804, introduced by Jenkins

HB 823, introduced by Squires

House amendments to Senate bills concurred in: 3/23/87

SB 196, introduced by B. Brown

SB 245, introduced by Kolstad

SB 276, introduced by Pinsoneault

SB 379, introduced by Yellowtail

SJR 1, introduced by Gage

House bills not concurred in and returned to the House: 3/21/87

HB 531, introduced by Ellison

HB 561, introduced by Simon

The Senate, on 3/21/87, failed to concur in House amendments to SB 274 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 274.

The President appointed the following members:

Senator Hammond, Chairman

Senator Galt

Senator Mazurek

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 893, introduced by Donaldson. Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/23/87

Correctly printed: HB 7, HB 656, HB 744, HB 881.

Correctly engrossed: HB 377, HB 741, HB 813.

Correctly enrolled: HB 94, HB 165, HB 188, HB 240, HB 246, HB 266, HB 273, HB 298, HB 359, HB 370, HB 396, HB 404, HB 499, HB 506, HB 511, HB 541, HB 555, HB 558, HB 569, HB 574, HB 580, HB 589, HB 605, HB 615, HB 664, HB 669, HB 689, HB 722, HB 738, HB 783, HB 822, HJR 13, HJR 36.

Examined by the sponsor and found to be correct:

HB 94 - C. Smith	HB 569 - Grady
HB 165 - J. Brown	HB 574 - Pavlovich
HB 188 - Bradley	HB 580 - Swysgood
HB 246 - Cobb	HB 589 - Koehnke
HB 266 - Ream	HB 605 - J. Brown
HB 273 - Nelson	HB 615 - Cody
HB 298 - Rapp-Svrcek	HB 664 - Ramirez
HB 359 - Grady	HB 669 - Harp
HB 370 - Asay	HB 689 - Swift
HB 396 - Pavlovich	HB 722 - Cobb
HB 404 - Harp	HB 738 - Jenkins
HB 499 - Sands	HB 783 - Brandewie
HB 511 - Driscoll	HB 822 - Hannah
HB 541 - C. Smith	HJR 13 - Keenan
HB 555 - Sands	HJR 36 - Swift
HB 558 - Gould	

Signed by the Speaker at 1:30 p.m., 3/21/87: HB 134, HB 143, HB 175, HB 183, HB 249, HB 345, HB 349, HB 401, HB 411, HB 438, HB 439, HB 507, HB 591, HB 691.

Signed by the Speaker at 2:45 p.m.: HB 165, HB 246, HB 266, HB 298, HB 396, HB 404, HB 558, HB 664, HB 738, HB 783, HB 822.

Signed by the Speaker at 5:15 p.m.: HB 94, HB 273, HB 370, HB 499, HB 511, HB 541, HB 555, HB 615.

Delivered to the Governor for his approval at 4:51 p.m.: HB 134, HB 143, HB 175, HB 183, HB 249, HB 345, HB 349, HB 401, HB 411, HB 438, HB 439, HB 507, HB 591, HB 691.

APPROPRIATIONS (Donaldson, Chairman):

3/21/87

HB 460, third reading copy, be amended as follows:

1. Title, line 10.

Following: "**SECTION**"

Strike: remainder of line 10

Insert: "**SECTION**"

2. Page 3, line 17.

Following: "**\$50**"

Strike: "**\$35**"

Insert: "**\$75**"

3. Page 3, lines 18 through 20.

Following: "**\$5**"

Strike: remainder of line 18 through "**[SECTION 3]**," on line 20

4. Page 5, line 24.

Following: "**\$50**"

Strike: "**\$35**"

Insert: "**\$75**"

5. Page 5, lines 25 through page 6, line 2.

Following: "**\$5**"

Strike: remainder of line 25 through "**[SECTION 3]**," on line 2

6. Page 6, line 4 through page 9, line 3.
Strike: sections 2 and 3 in their entirety
Renumber: subsequent section

7. Page 9, lines 6 through 13.
Strike: sections 5 and 6 in their entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 702, second reading copy, be amended as follows: 3/23/87

1. Page 4, line 11.
Strike: "not"

2. Page 4, line 12.
Strike: "more than"

3. Page 4, line 16.
Following: "government."

Insert: "All appropriated general funds not specifically required for the purposes of this act shall revert to the general fund."

And, as amended, do pass. Report adopted.

HB 878, do pass. Report adopted.

SB 175, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman): 3/23/87

SB 102, be concurred in. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
SB 102

The legislature intends that water rights should not be quantified in a temporary preliminary, preliminary, or final decree except as historically defined in Montana and except where a water judge determines that quantification of both volume and flow rate are required to adequately administer the right. For example, most irrigation water rights have been defined in Montana only by flow rate, reservoir rights have been commonly defined by volume, and hydropower rights have been defined by both flow rate and volume. The courts retain discretionary power to quantify water rights in terms of their historic definitions. It is the intent of the legislature that the water judges exercise their discretionary power on all existing and future decrees to reduce, to the extent possible, objections to water rights that have not historically been defined by volume.

SB 121, be concurred in. Report adopted.

SB 139, third reading copy, be amended as follows:

1. Page 3, lines 5, 6 and 13.
Strike: "willful or wanton misconduct" on lines 5, 6 and 13
Insert: "gross negligence"

2. Page 4, line 22.
Strike: "Effective"
Insert: "Effect of"

3. Page 6, line 5.
Strike: "the department,"
Strike: "OR"
Insert: "and"

And, as amended, be concurred in. Report adopted.

SB 152, be concurred in. Report adopted.

SB 160, third reading copy, be amended as follows:

1. Page 2, lines 6 and 9.

Strike: "injury" on lines 6 and 9

Strike: "OR" on lines 6 and 9

And, as amended, be concurred in. Report adopted.

SB 164, be concurred in. Report adopted.

SB 223, be concurred in. Report adopted.

SB 226, third reading copy, be amended as follows:

1. Page 3, line 12.

Following: "ability of the"

Insert: "youth and the"

And, as amended, be concurred in. Report adopted.

SB 241, third reading copy, be amended as follows:

1. Page 3, lines 2 through 4.

Strike: "any" on line 2 through "a result of" on line 4

Insert: "everything of value furnished or intended to be furnished in exchange for a controlled substance in violation of Title 45, chapter 9; all proceeds traceable to such an exchange; and all money, negotiable instruments, and securities used or intended to be used to facilitate"

2. Page 3, line 4.

Following: "chapter 9;"

Insert: "and"

3. Page 3, line 6.

Strike: "by"

Insert: "from sale of a controlled substance in"

4. Page 3, lines 7 through 10.

Strike: ", and" on line 7 through "chapter 9" on line 10

5. Page 6, line 24.

Following: "RECEIVED"

Insert: "by the state"

And, as amended, be concurred in. Report adopted.

SB 258, be concurred in. Report adopted.

SB 289, be concurred in. Report adopted.

SB 361, third reading copy, be amended as follows:

1. Statement of intent, line 9.

Following: "use"

Insert: "the definition in 20-7-401(4) and"

2. Page 3, line 15.

Strike: "or"

3. Page 3, line 16.

Following: "worker"

Insert: ", or special education child study team established under rules adopted by the superintendent of public instruction to implement Title 20, chapter 7, part 4"

4. Page 3, line 18.

Following: "system"

Insert: "or as defined in 20-7-401(4)"

And, as amended, be concurred in. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne,
Chairman): 3/23/87

Report the following staff changes:

Termination of Martha Cody, page to Minority, effective 3/21/87.

Hiring of Dayna Swanson, page to Minority, effective 3/23/87.

Termination of Esther Petrosky, committee aide, effective 3/21/87.

Termination of Carmen Weggenman, committee aide, effective 3/21/87.

Termination of Shirley Sautter, committee aide, effective 3/21/87.

Termination of Sandi LaSalle, committee aide, effective 3/21/87.

Termination of Andy Hannah, permanent page, effective 3/21/87.

Change in status of Lori Cochran from committee aide to steno pool,
effective 3/14/87.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 11:00 a.m.,
March 24, 1987.

Motion carried.

House adjourned at 12:45 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 24, 1987

House Chambers
State Capitol

House convened at 12:00 noon, Mr. Speaker in the Chair. Invocation by Pastor Mike Tappan. Pledge of Allegiance to the Flag.

Roll call. All members present except Russell, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-fourth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1987

Dear Speaker Marks:

Please be informed that I signed House Bill No. 450 on March 23, 1987.

Sincerely,

Ted Schwinden
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 894, introduced by Thoft, Haffey, Farrell, Pavlovich, Darko, Swysgood, Anderson, Hoffman, Campbell, D. Brown, Eudaily, Daily, Menahan, Quilici, Harp, Harrington, Keenan, Beck, (By Request of the Joint Interim Subcommittee on the Law Enforcement Academy). Referred to Committee on Appropriations.

HB 895, introduced by Poulsen, Miller, Neuman, Thayer, Phillips, Walker, Bulger, Strizich, Nisbet, Manuel, Koehnke, Pistoria, Switzer, McCormick, O'Connell, Cobb, Manning, Galt, Meyer, Kolstad, Keating. Referred to Committee on Appropriations.

HB 896, introduced by Mercer, Harper, Phillips, Schye, Stang, Roth, Devlin, Hanson, Poff, Corne', Nelson, Giacometto, Eudaily, Swysgood, Hammond, Spaeth, Cobb, Meyers, Lory, Addy, Darko, Rapp-Svrcek, D. Brown, Grady, C. Smith, Keller, Miles, Strizich, Daily, Bulger, Rehberg, Jones, Peterson, Wallin, Switzer, Menke, Brandewie. Referred to Committee on Highways and Transportation.

HB 897, introduced by Asay, Winslow, Bradley. Referred to Committee on Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 863 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Harp, Iverson, Peck, Stang.

Total 5

Excused: Moore, Russell.

Total 2

Absent or not voting: None.

Total 0

HB 782 passed as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Eudaily, Fritz, Hannah, Hansen, Harp, Harper, Harrington, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Miles, Miller, Moore, Nathe, Peck, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Switzer, Swysgood, Vincent, Williams, Winslow, Mr. Speaker.

Total 57

Noes: Asay, Bachini, Brandewie, Cobb, DeMars, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Hayne, Hoffman, Holliday, Iverson, Jones, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Russell, Squires, Stang, Swift, Thoft, Thomas, Wallin, Whalen.

Total 43

Paired: Ramirez, Aye; Russell, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 776 passed as follows:

Ayes: Addy, Asay, Bachini, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 66

Noes: Bardanouve, Bradley, Brandewie, Bulger, Cody, Cohen, Corne', Daily, Darko, DeMars, Driscoll, Hansen, Harp, Harper, Harrington, Kadas, Keenan, Kennerly, Menahan, Meyers, Miles, Nisbet, Pavlovich, Quilici, Raney, Rapp-Svrcek, Schye, Spaeth, Squires, Stang, Vincent, Whalen, Williams.

Total 33

Excused: Russell.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 2:00 p.m. for party caucus, lunch, and committee meetings Motion carried.

House recessed at 12:07 p.m.

House reconvened at 2:30 p.m.

Mr. Speaker in the Chair.

The Committee on Human Services and Representatives Thoft, Schye, Iverson, and Moore excused at this time.

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate on the House amendments to SB 274. Motion carried.

The Speaker appointed Representatives Sales, Wallin, and Bulger to the conference committee on House amendments to SB 274.

Representative Spaeth moved that he be allowed to cast a yes vote on HB 863 and HB 782 on third reading this day, and a no vote on HB 776 on third reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 833 - Representative Ramirez moved that HB 833, second reading copy, be amended as follows:

1. Page 3, line 6.

Strike: "(8)"

Insert: "(9)"

2. Page 3, line 24.

Following: "(7)"

Strike: "THE" through "YEAR" on page 4, line 2

3. Page 4, line 7.

Following: "TAXES"

Insert: "in that taxing unit"

Following: "YEAR"

Strike: "IN THAT TAXING UNIT"

Insert: "plus the adjustment provided in subsection (5)"

4. Page 4.

Following: line 7

Insert: "(8) The limitation on taxes levied, imposed pursuant to subsection (4), may be exceeded upon vote by the people in any taxing unit as provided by law."

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, Bulger, Campbell, Cobb, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Jenkins, Jones, Kadas, Keller, Kennerly, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Smith, Spaeth, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 68

Noes: D. Brown, Cohen, Keenan, Nisbet, Poulsen, Raney, Stang.

Total 7

Excused: J. Brown, Cody, Compton, Corne', Gilbert, Gould, Grinde, Hansen, Iverson, Kitselman, McCormick, Nelson, Patterson, Russell, Sands, Schye, Simon, Squires, Stratford, Strizich, Thoft.

Total 21

Absent or not voting: Bardanouve, Hoffman, Holliday, Moore.

Total 4

Representative Hoffman excused at this time.

Committee on Human Services returning at this time.

Representative Ramirez moved that HB 833, as amended, do pass.

Representatives Iverson, Schye and Thoft present at this time.

Representative Bulger made a substitute motion that HB 833, second reading copy, be further amended as follows:

1. Page 2, line 15.

Strike: "5%"

Insert: "4%"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 72

Noes: Brandewie, Campbell, Cobb, Daily, Devlin, Eudaily, Fritz, Giacometto, Gilbert, Grady, Harp, Harrington, Hayne, Keller, Kitselman,

Lory, Menke, Miller, Nelson, Peterson, Ramirez, Roth, Sales, Simon, Swysgood, Winslow.

Total 26

Excused: Hoffman, Moore.

Total 2

Absent or not voting: None.

Total 0

HB 833, as amended, failed to passed. (49-51)

Representative Hannah moved that HB 833, as amended, do not pass.

Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 50

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 50

Paired: Addy, Moore, Ayes; Asay, Hoffman, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the House reconsider its action on HB 833. Motion failed. (50-50)

HB 833 failed to pass second reading according to House Rule 1-5.

HB 395 - Representative Brandewie moved that HB 395, second reading copy, be amended as follows:

1. Page 3, lines 23 and 24.

Strike: "three-fourths of one percent"

Insert: "a percentage"

2. Page 4, line 2.

Strike: "three-fourths of one percent"

Insert: "a percentage"

Amendment passed as follows:

Ayes: Asay, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson,

Phillips, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 60

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, Bulger, Cohen, Corne', Daily, Darko, Eudaily, Fritz, Gould, Hansen, Holliday, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Nisbet, Pavlovich, Peck, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 36

Excused: Hoffman, Moore.

Total 2

Absent or not voting: Connelly, Pistoria.

Total 2

Representative Brandewie moved that HB 395, second reading copy, be further amended as follows:

1. Page 3.

Following: line 13

Insert: "(8) The limitation on taxes in subsection (2) may be exceeded upon vote by the people in any taxing unit as provided by law."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 78

Noes: Bardanouve, Bradley, D. Brown, Cohen, Corne', DeMars, Keenan, Lory, McCormick, Menahan, Nisbet, Poff, Poulsen, Quilici, Russell, Schye, Squires, Whalen.

Total 18

Excused: Hoffman, Moore.

Total 2

Absent or not voting: Connelly, Mr. Speaker.

Total 2

Representative Brandewie moved that HB 395, as amended, do pass.
Motion failed. (48-50)

Representative Hannah moved that HB 395, as amended, do not pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Giacometto, Hansen, Harper, Harrington, Hayne, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney,

Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 52

Noes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Iverson, Jenkins, Jones, Keller, Kitselman, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 47

Paired: Moore, Aye; Ramirez, No.

Excused: Hoffman.

Total 1

Absent or not voting: None.

Total 0

Representative Hoffman present at this time.

Representatives Thomas and Darko excused at this time.

HB 436 - Representative Hansen moved that HB 436, second reading copy, be amended. Amendment failed. (20-75)

Representative Ramirez moved that HB 436 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Daily, Hoffman, Whalen.

Total 4

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: Harper.

Total 1

HB 726 - Representative Kadas moved that HB 726, second reading copy, be amended as follows:

1. Title, line 5.

Following: "COMMUNITIES"

Insert: "GREATER FLEXIBILITY"

2. Page 2.

Following: line 4

Insert: "(c) Sales made by establishments not specified in this subsection (2) may not be taxed."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Asay, Brandewie, Bulger, Campbell, Hannah, Hayne, Meyers, Ramirez.

Total 8

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

Representative Cohen moved that HB 726, second reading copy, be further amended. Amendment failed. (30-65)

Representative Spaeth moved that HB 726, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, Nelson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Brandewie, Cobb, Driscoll, Gilbert, Grinde, Hanson, Meyers, Nisbet, O'Connell, Patterson, Squires, Whalen.

Total 12

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: Miller.

Total 1

HB 575 - Representative Ramirez moved that HB 575, introduced bill, be amended as follows:

1. Page 3.

Following: line 17

Insert: "(c) transfer of property into a taxing unit;

(d) subdivision of real property;

(e) reclassification of property;

(f) increases in the amount of production or the value of production for property described in 15-6-131 or 15-6-132;"

Renumber: subsequent subsections

2. Page 4.

Following: line 4

Insert: "(b) transfer of property into a taxing unit;

(c) reclassification of property;

(d) increases in the amount of production or the value of production for property described in 15-6-131 or 15-6-132;"

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Peck.

Total 2

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: Brandewie, Manuel.

Total 2

Representative Keenan in the Chair.

Representative Kadas moved that HB 575, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Bachini, Bardanouve, Brandewie, D. Brown, Daily, Devlin, Giacometto, Grady, Grinde, Harp, Harrington, Jenkins, Jones, Keenan, Menahan, Meyers, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Strizich, Whalen.

Total 24

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 382 - Representative Connelly moved that HB 382, second reading copy, be amended as follows:

1. Title, line 18.

Following: "BUILDING"

Strike: "AND INSURANCE"

2. Title, lines 21 and 22.

Following: "PROVIDING A"

Strike: "SELF-INSURANCE PLAN AND AN INSURANCE"

Insert: "BUILDING"

3. Page 2, line 3.

Following: "Building"

Strike: "and Insurance"

4. Page 2, line 24.

Following: "district's"

Strike: "insurance costs and"

5. Page 3, line 2.

Following: "projects"

Strike: "and insurance"

6. Page 3, lines 5 and 6.

Following: "building"

Strike: "and insurance"

7. Page 3, lines 7 and 8.

Following: "building"

Strike: "and insurance"

8. Page 3, line 15.

Following: "building"

Strike: "and insurance"

9. Page 3, line 19.

Following: "building"

Strike: "and insurance"

10. Page 3, line 22.

Following: "building"

Strike: "and insurance"

11. Page 4, lines 2 and 3.

Strike: subsection (c) in its entirety

12. Page 4, line 4.

Following: "building"

Strike: "and insurance"

13. Page 4, lines 10 and 11.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

14. Page 4, lines 12 and 13.

Following: "defending"

Strike: "a denial of an insurance claim or"

15. Page 4, line 14.

Following: "building"
Strike: "and insurance"

16. Page 4, line 19.
Following: "consultants,"
Strike: "actuaries,"

17. Page 4, line 22.
Following: "building"
Strike: "and insurance"

18. Page 5, lines 5 and 6.
Following: "building"
Strike: "and insurance"

19. Page 5, lines 15 and 16.
Following: "finance"
Strike: "insurance premiums, insurance losses, or"

20. Page 5, line 19.
Following: "building"
Strike: "and insurance"

21. Page 6, lines 3 and 4.
Following: "building"
Strike: "and insurance"

22. Page 6, line 5.
Following: "building"
Strike: "and insurance"

23. Page 6, line 8.
Following: "building"
Strike: "and insurance"

24. Page 6, line 16.
Following: "building"
Strike: "and insurance"

25. Page 6, line 21.
Following: "building"
Strike: "and insurance"

26. Page 7, line 1.
Following: "building"
Strike: "and insurance"

27. Page 7, line 2.
Following: "building"
Strike: "and insurance"

28. Page 7, lines 4 and 5.
Following: "education"
Strike: "and insurance"

29. Page 7, lines 6 and 7.
Following: "education"
Strike: "and insurance"

30. Page 7, lines 12 and 13.
Following: "building"
Strike: "and insurance"

31. Page 7, line 14.

Following: "building"
Strike: "and insurance"

32. Page 9, lines 7 and 8.
Following: "building"
Strike: "and insurance"

33. Page 9, line 9.
Following: "building"
Strike: "and insurance"

34. Page 9, line 11.
Following: "building"
Strike: "and insurance"

35. Page 9, line 14.
Following: "building"
Strike: "and insurance"

36. Page 9, line 16.
Following: "building"
Strike: "and insurance"

37. Page 9, line 19.
Following: "building"
Strike: "and insurance"

38. Page 9, line 21.
Following: "building"
Strike: "and insurance"

39. Page 9.
Following: line 23
Strike: "and insurance"

40. Page 10, line 21.
Following: "building"
Strike: "and insurance"

41. Page 10, line 25.
Following: "at"
Strike: "an"
Insert: "the"

42. Page 11, line 1.
Following: "rate"
Strike: "1% below the rate"

43. Page 11, line 20.
Following: "building"
Strike: "and insurance"

44. Page 11, line 23.
Following: "building"
Strike: "and insurance"

45. Page 11, line 25 and line 1, page 12.
Following: "bonds"
Strike: "or impairs the insurance loss reserve"

46. Page 12, line 5.
Following: "building"
Strike: "and insurance"

47. Page 12, line 12 through line 24, page 16.

Strike: sections 16 through 19 in their entirety

Renumber: subsequent sections

48. Page 17, lines 3 and 4.

Following: "building"

Strike: "and insurance"

49. Page 17, line 7.

Following: "building"

Strike: "and insurance"

50. Page 20, line 21.

Following: "through"

Strike: "20"

Insert: "16"

51. Page 20, line 23.

Following: "through"

Strike: "20"

Insert: "16"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: Addy, Ellison, Giacometto, Winslow.

Total 4

Representative Harrington in the Chair.

Representative Connelly moved that HB 382, as amended, do pass.

Motion failed. (46-50)

Representative Hannah moved that HB 382, as amended, do not pass.

Motion carried as follows:

Ayes: Bulger, Campbell, Cody, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hoffman, Holliday, Iverson, Jenkins, Kitselman, Menke, Meyers, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Squires, Strizich, Swift, Switzer, Swysgood, Thoft, Wallin, Williams, Winslow, Mr. Speaker.

Total 50

Noes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cohen, Connelly, Corne', Daily, DeMars, Driscoll, Eudaily, Fritz, Glaser, Harper, Harrington, Hayne, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, Pavlovich, Ream, Russell, Sales, Schye, Smith, Spaeth, Stang, Stratford, Vincent, Whalen.
Total 46

Excused: Darko, Moore, Thomas.
Total 3

Absent or not voting: Bardanouve.
Total 1

HB 656 - Representative Grady moved that HB 656, introduced bill, be amended as follows:

1. Page 1, line 20.
Strike: "fertilizer" through "and"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 92

Noes: Harp.
Total 1

Excused: Darko, Moore, Thomas.
Total 3

Absent or not voting: Cobb, Poulsen, Switzer, Winslow.
Total 4

Representative Grady moved that HB 656, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 84

Noes: Bardanouve, Bulger, Cody, Connelly, Driscoll, Ellison, Hannah, Kadas, Nisbet, Patterson, Raney.

Total 11

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: Jones, Poulsen.

Total 2

HB 848 - Representative Stang moved that HB 848, second reading copy, be amended as follows:

1. Page 1, line 14.

Following: "15-6-138(1)(g)"

Insert: "on January 1 of the year for which the refund is due"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Grinde, Meyers, Switzer.

Total 3

Excused: Darko, Moore, Thomas.

Total 3

Absent or not voting: Asay, Ellison, Hannah, Poulsen, Sales.

Total 5

Representative Sales excused at this time.

Representative Stang moved that HB 848, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Asay, Devlin, Grinde, Hannah, Keller, Meyers, Nisbet, Ramirez.

Total 8

Excused: Darko, Moore, Sales, Thomas.

Total 4

Absent or not voting: Grady, Harper, Manuel.

Total 3

HB 816 - Representative Asay moved that HB 816, second reading copy, be amended as follows:

1. Title, line 10.

Strike: "AN"

Insert: "A RETROACTIVE"

2. Page 1, line 21.

Following: "(C)"

Insert: "(i)"

3. Page 1, line 22.

Following: "MONTHS"

Insert: "; or

(ii) has been acquired in a foreclosure or bankruptcy proceeding by a person, as defined in 15-1-102, having no relationship to or interest in the property prior to the transaction"

4. Page 3, line 10.

Strike: "FOLLOWING THE"

Insert: "Upon"

Following: "PRODUCTION"

Insert: "or an acquisition described in subsection (1)(c)(ii)"

5. Page 3, line 12.

Following: "MONTHS."

Insert: "Following the end of the 12-month period, the property may be considered new or expanding industry as provided in Title 15, chapter 24, part 14."

6. Page 6, line 23.

Strike: "1987"

Insert: "1986"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Bardanouve, Cohen, Grinde, Hansen, Harper, Hoffman, Kadas, Keenan, Whalen.

Total 9

Excused: Darko, Moore, Sales.

Total 3

Absent or not voting: None.

Total 0

Representative Asay moved that HB 816, as amended, do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Daily, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Corne', Ellison, Fritz, Grinde, Hansen, Harper, Harrington, Hoffman, Kadas, Keenan, Kennerly, Meyers, Miles, Nisbet, Peck, Quilici, Raney, Ream, Schye, Strizich, Whalen.

Total 26

Excused: Darko, Moore, Sales.

Total 3

Absent or not voting: None.

Total 0

HB 864 - Representative Manuel moved that HB 864 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 88

Noes: Brandewie, Campbell, Grinde, Meyers, Stang, Swysgood.

Total 6

Excused: Darko, Moore, Sales.

Total 3

Absent or not voting: J. Brown, Kadas, Mr. Speaker.

Total 3

HB 866 - Representative Bradley moved that HB 866 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Brandewie, Devlin, Ellison, Giacometto, Glaser, Grinde, Hannah, Meyers, Nisbet, Stratford, Thomas.

Total 11

Excused: Darko, Moore, Sales.

Total 3

Absent or not voting: Harp.

Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (80-13)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/24/87

Correctly printed: HB 460, HB 496, HB 702, HB 878.

Correctly engrossed: HB 776, HB 782, HB 863.

Examined by the sponsor and found to be correct:

HB 240 - Thomas

Correctly enrolled: HB 19, HB 180, HB 242, HB 388, HB 389, HB 505, HB 682, HB 792, HB 815, HJR 19.

Signed by the Speaker at 9:00 p.m., 3/23/87: HB 188, HB 359, HB 569, HB 574, HB 580, HB 589, HB 605, HB 669, HB 689, HB 722, HJR 13, HJR 36.

Signed by the Speaker at 3:00 p.m.: HB 240.

Delivered to the Governor for his approval at 11:12 a.m.: HB 165, HB 246, HB 266, HB 298, HB 396, HB 404, HB 558, HB 664, HB 738, HB 783, HB 822.

APPROPRIATIONS (Donaldson, Chairman):

3/24/87

HB 849, do pass. Report adopted.

SB 279, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

3/23/87

SB 199, third reading copy, be amended as follows:

1. Title, line 9.

Following: "YEAR"

Insert: ", WITH CERTAIN EXCEPTIONS"

2. Page 1, line 23.

Strike: "The"

Insert: "Except as provided in subsection (2), the"

3. Page 2, lines 8 and 10.

Following: "(2)"

Strike: remainder of line 8 through "THE" on line 10

Insert: "The"

4. Page 2, line 12.

Following: "YEAR"

Insert: "if:

(a) state equalization aid is less than 25% of the foundation program revenue generated in a county pursuant to 20-9-331 and 20-9-333; or

(b) the district receives payment of protested taxes or nontax revenue that was due the district for a previous school fiscal year and the payment exceeds 20% of the final general fund budget for the ensuing school fiscal year."

And, as amended, be concurred in. Report adopted.

SB 302, be concurred in. Report adopted.

SB 344, third reading copy, be amended as follows:

1. Title, line 9.

Following: "~~CERTIFICATES~~"

Insert: "FOR THE DISPOSITION OF A PORTION OF CERTIFICATION FEES TO COVER THE EXPENSES OF THE COUNCIL"

Strike: "SECTION"

Insert: "SECTIONS 17-7-502 AND"

2. Page 2, line 23 through page 3, line 14.

Following: "(3)"

Strike: remainder of line 23 through "May 1." on line 14, page 3

3. Page 3, line 17.

Strike: "request new nominees"

Insert: "appoint a person"

4. Page 3, line 18.

Following: "membership"

Insert: ", as provided in subsection (2),"

5. Page 3, line 19.

Following: "occurred"

Strike: remainder of line 19 through "subsection (3)"

Renumber: subsequent subsection

6. Page 6, line 15.

Strike: "\$6"

Insert: "\$4"

7. Page 6, line 20.

Strike: "\$6"

Insert: "\$4"

8. Page 6, line 22.

Following: "treasurer"

Insert: "in the following manner:

(a) \$2"

9. Page 6, line 23.

Following: "(2)"

Insert: ";

(b) \$2 to the general fund"

10. Page 7, line 7.

Following: "certificates."

Insert: "The money in the account is statutorily appropriated, as provided in 17-7-502, to the board of public education for expenses for the certification standards and practices advisory council created in [section 2]."

11. Page 7.

Following: line 7

Insert: "Section 6. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

- (a) 2-9-202;
- (b) 2-17-105;
- (c) 2-18-812;
- (d) 10-3-203;
- (e) 10-3-312;
- (f) 10-3-314;
- (g) 10-4-301;
- (h) 13-37-304;
- (i) 15-31-702;
- (j) 15-36-112;
- (k) 15-70-101;
- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;
- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;

- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;
- (bb) 19-12-301;
- (cc) 19-13-604;
- (dd) 20-6-406;
- (ee) 20-8-111;
- (ff) 23-5-612;
- (gg) 37-51-501;
- (hh) 53-24-206;
- (ii) 75-1-1101;
- (jj) 75-7-305;
- (kk) 80-2-103;
- (ll) 80-2-228;
- (mm) 90-3-301;
- (nn) 90-3-302;
- (oo) 90-15-103; ~~and~~
- (pp) Sec. 13, HB 861, L. 1985; and
- (qq) 20-4-109.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.”

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):
HB 886, third reading copy, be amended as follows:

3/24/87

1. Title, line 8.
 Strike: “SECTION”
 Insert: “SECTIONS”
2. Title, line 9.
 Following: “53-3-201”
 Strike: “,”
 Insert: “AND 53-3-314,”
3. Page 2, lines 4 through 6.
 Strike: “person” on line 4 through “become a” on line 6
4. Page 2, line 6.

Strike: "shall be"

Insert: "of the state is"

Following: "eligible"

Insert: "to apply"

5. Page 2.

Following: line 16

Insert: "Section 3. Section 53-3-314, MCA, is amended to read:

"53-3-314. County of financial responsibility. (1) The county responsible for benefits provided under this chapter is the county of residence of the person making application for assistance.

(2) Medical costs covered by general relief medical assistance are the financial responsibility of the treated person's county of residence. Institutionalization for medical services does not change such residency.

(3) ~~General relief medical assistance for a transient is the responsibility of the county in which the nonresident's illness or injury requiring medical attention initially occurred."~~

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HJR 45, do pass. Report adopted.

SB 170, third reading copy, be amended as follows:

1. Title, line 10.

Following: "PRESCRIBE"

Insert: "CERTAIN"

2. Page 4, line 7.

Strike: "drugs used for"

Insert: "those drugs approved by the board for use in"

3. Page 4, line 8.

Following: "ADNEXA."

Insert: "Chronic open angle glaucoma may be treated, but not other forms of glaucoma."

4. Page 6, line 6.

Following: "diagnosis"

Strike: "and"

Insert: ","

Following: "treatment"

Insert: ", and management"

5. Page 6, line 21.

Strike: "use"

Insert: "diagnosis, treatment, and management"

6. Page 8.

Following: line 12

Insert: "NEW SECTION. Section 6. Optometric oversight committee — members — duty to investigate complaints. (1) (a) There is an optometric oversight committee composed of five members. The members are:

(i) two physicians, one of whom must be an ophthalmologist and the other a member of the board of medical examiners, who are appointed by the board of medical examiners;

(ii) two optometrists who are members of the board of optometrists and who are appointed by the board of optometrists; and

(iii) one pharmacist who is a member of the board of pharmacy and who is appointed by the board of pharmacy.

(b) The members of the committee shall elect a chairman from their members. Members of the committee are entitled to compensation and travel expenses as provided for in 37-1-133. Members' compensation and travel expenses and committee clerical and administrative expenses must be paid by the board of optometrists from funds appropriated to the board for its ordinary operations.

(2) A meeting of the committee must be called by any of the represented boards upon receipt of a signed written complaint regarding the diagnosis, treatment, or management of ocular disease as it relates to therapeutic drug usage by an optometrist.

(3) Each of the represented boards shall upon receipt of a complaint concerning the diagnosis, treatment, or management of ocular disease by an optometrist, forward a copy of the complaint to the members of the committee. Each member of the committee shall, subject to applicable confidentiality requirements, have access to all records related to therapeutic drug usage of the board of optometry concerning the optometrist against whom a complaint has been filed.

(4) The committee may investigate any complaint that it believes has a valid basis. The investigation may include:

(a) requiring the complainant, if injuries have been alleged, to submit to a physical examination;

(b) examination of hospital and other medical records;

(c) interviews of the complainant and the accused optometrist; and

(d) other avenues of inquiry tending to prove or disprove the complaint but that do not raise the formality of the investigation to the level of a contested case administrative hearing.

(5) Based on the findings of its investigation, the committee may:

(a) recommend to board of optometrists that no further action be taken regarding the complaint;

(b) recommend to the board of optometrists that no action be taken against the subject optometrist, but that the board should review its rules and statutory provisions relating to the administration of prescription drugs by optometrists to amend the rules or propose legislation to prevent similar occurrences; or

(c) recommend that the board of optometrists initiate disciplinary proceedings.

(6) If the committee recommends that the board of optometrists initiate disciplinary proceedings, the board must take necessary action to begin disciplinary proceedings.

(7) (a) A copy of the committee's decision must be mailed to the complainant.

(b) If the committee makes a decision under subsection (5)(b) or (5)(c), the board of optometrists shall respond to the committee's

decision in writing. The response must be addressed to the board of medical examiners and the board of pharmacy."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 246, third reading copy, be amended as follows:

1. Page 10, line 13.

Following: "organization,"

Insert: "preferred provider organization,"

2. Page 10.

Following: line 14

Insert: "(36) 'Preferred provider organization' means an organization that contracts with health care providers to pay the entire cost of health care services provided to enrolled members who have pre-paid for those services and that may pay for a portion of the services provided to an enrollee by a noncontract health care provider."

Renumber: subsequent subsections

3. Page 17, line 21.

Following: "estate,"

Insert: "health maintenance organization, preferred provider organization,"

4. Page 17.

Following: line 22

Insert: "(26) 'preferred provider organization' means an organization that contracts with health care providers to pay the entire cost of health care services provided to enrolled members who have prepaid for those services and that may pay for a portion of the services provided to an enrollee by a noncontract health care provider."

Renumber: subsequent subsections

5. Page 20, line 9.

Strike: "\$100,000"

Insert: "\$150,000"

Committee attached the following statement of intent:

Statement of Intent

SB 246

A statement of intent is prepared for this bill because the committee felt it was necessary to ensure compliance with legislative intent in furtherance of the extension of rulemaking authority provided in section 11.

The legislature contemplates that the department of health and environmental sciences will continue to monitor the effects of certificate of need and other factors that control capital expenditures and development of health care service capacity. By December 1, 1988, the department must provide for the 1989 legislature an evaluation of the need to continue the certificate of need program beyond June 30, 1989, and identify any alternative legislation that would be needed if certificate of need were to be discontinued. It is also this committee's intent that the legislative audit committee review and, if possible, make a performance audit of the certificate of need process and make its recommendation to the 1989 legislature.

And, as amended, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/24/87

SB 338, third reading copy, be amended as follows:

1. Page 1, line 20.

Strike: "THAT INVOLVE"

Insert: "the primary responsibility of which is"

2. Page 1, line 24.

Strike: "BELIEVES"

Insert: "HAS REASON TO BELIEVE"

3. Page 2, line 1 and line 14, page 3.

Following: "result of" on page 2, line 1 and "caused by" on line 14, page 3

Insert: "alcohol consumption or"

4. Page 2, line 4 and line 2, page 3.

Following: "DRUG"

Insert: "or alcohol"

5. Page 2, lines 6 through 8, 19, 20, and 22.

Strike: "DRUG"

6. Page 3, line 12.

Following: "(1)(c)"

Insert: "(2)"

Strike: "(1)(E)"

Insert: "(3)"

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Jones, Chairman):

3/23/87

HJR 44, introduced bill, be amended as follows:

1. Page 1.

Following: line 18

Insert: "WHEREAS, the transportation of hazardous materials poses particularly difficult problems for local government because, while regulation of transportation is primarily a federal responsibility, local governments are responsible for emergency response to hazardous materials transportation incidents; and"

2. Page 2, line 11.

Following: "risks"

Insert: ", including risks posed by the transportation of hazardous materials through Montana communities,"

3. Page 2, line 12.

Following: "incidents"

Insert: ", including incidents involving transportation of hazardous materials"

And, as amended, do pass. Report adopted.

SB 66, be concurred in. Report adopted.

SB 329, third reading copy, be amended as follows:

1. Title, lines 4 through 8.

Strike: "AUTHORIZING" on line 4 through "COUNCIL" on line 8

Insert: "GENERALLY REVISING THE MONTANA NATURAL AREAS ACT OF 1974"

2. Title, line 8.

Following: "SECTIONS"

Insert: "17-7-502,"

3. Title, line 11.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 2, lines 10 and 11.

Strike: "future"

Following: "should"

Strike: "avoid" on line 10 through "previously" on line 11

Insert: "first consider"

Strike: "resources of" on line 11

Insert: "features in"

Following: "dedicated lands"

Insert: " , "

5. Page 2, line 13.

Following: "wilderness areas"

Insert: " , and should avoid duplication of these features"

6. Page 3, line 17.

Strike: "and potential"

7. Page 4, line 8.

Strike: "and"

8. Page 4, line 12.

Following: "areas"

Insert: " ,

(5) provide that designated natural areas on state lands are available for multiple uses, including but not limited to grazing, recreation, and snowmobiling, if such uses are consistent with the state's obligations under The Enabling Act and do not interfere with the management or integrity of the natural area; and

(6) provide that the management of natural areas on state lands includes provisions for weed control consistent with 7-22-2151"

9. Page 6, line 15.

Strike: "seven"

Insert: "six"

10. Page 6, line 17.

Strike: "four"

Insert: "three"

11. Page 6, line 18.

Strike: "and"

12. Page 6, lines 19 and 20.

Strike: "each"

Following: "agriculture"

Strike: " , " on line 19 through "respectively" on line 20

Insert: " ,

(c) one member engaged in ranching; and

(d) one member representing industry"

13. Page 6, lines 21 and 22.

Strike: "The" on line 21 through "members." on line 22

14. Page 6, line 23.

Strike: "four"

Insert: "three"

15. Page 7, line 5.

Following: "members"

Insert: ", except that compensation and reimbursement are subject to the availability of funds"

16. Page 7, line 23.

Following: "organizations"

Insert: ", organizations representing Montana's basic resource industries,"

17. Page 7.

Following: line 25

Insert: "NEW SECTION. Section 9. Natural areas account. (1)

There is a natural areas special revenue account within the state special revenue fund established in 17-2-102.

(2) The natural areas account may receive funds from any source as gifts.

(3) The department may spend funds accepted as gifts in accordance with the purposes of this part, including administration of a natural areas program. These funds are statutorily appropriated, as provided in 17-7-502.

Section 10. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

(a) 2-9-202;

(b) 2-17-105;

(c) 2-18-812;

(d) 10-3-203;

(e) 10-3-312;

(f) 10-3-314;

(g) 10-4-301;

(h) 13-37-304;

(i) 15-31-702;

(j) 15-36-112;

(k) 15-70-101;

- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;
- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;
- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;
- (bb) 19-12-301;
- (cc) 19-13-604;
- (dd) 20-6-406;
- (ee) 20-8-111;
- (ff) 23-5-612;
- (gg) 37-51-501;
- (hh) 53-24-206;
- (ii) 75-1-1101;
- (jj) 75-7-305;
- (kk) 80-2-103;
- (ll) 80-2-228;
- (mm) 90-3-301;
- (nn) 90-3-302;
- (oo) 90-15-103; ~~and~~
- (pp) Sec. 13, HB 861, L. 1985; and
- (qq) [section 9].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107,

as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.””

Renumber: subsequent sections

18. Page 8, line 11.

Strike: “10”

Insert: “9”

19. Page 8, line 14.

Strike: “10”

Insert: “9”

20. Page 8.

Following: line 16

Insert: “NEW SECTION.” Section 15. Termination. Sections 6 and 7 terminate on June 30, 1993.”

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 3/24/87

HB 28, introduced by Jenkins

HB 141, introduced by Bardanouve

HB 261, introduced by Nathe

HB 430, introduced by Brandewie

HB 532, introduced by Poulsen

HB 533, introduced by Campbell

HJR 21, introduced by Mercer

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/24/87

HB 277, introduced by Connelly

HB 363, introduced by Hoffman

HB 566, introduced by Keenan

HB 837, introduced by Jenkins

House amendments to Senate bills concurred in: 3/24/87

SB 292, introduced by Keating

SB 305, introduced by Eck

SB 313, introduced by Blaylock

Governor's amendments to House bill concurred in and returned to the House: 3/24/87

HB 386, introduced by Cody

The Senate, on 3/24/87, dissolved the conference committee on House amendments to SB 151 and appointed a free conference committee to meet with a like committee from the House to confer on SB 151.

The President appointed the following members:

Senator Galt, Chairman
Senator Walker
Senator Stimatz

MOTIONS

Representative Darko present at this time.

Representative Hannah moved that the conference committee on House amendments to SB 151 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate. Motion carried.

The Speaker appointed Representatives Thoft, Iverson, and Holliday to the free conference committee on SB 151.

Representative Spaeth moved that HB 229 be taken from the table in the Committee on State Administration and printed and placed on second reading. Motion failed. (31-64)

Representative Hannah moved that the House stand in recess until 6:00 p.m. for party caucuses. Motion carried.

House recessed at 5:35 p.m.

House reconvened at 9:05 p.m.

Mr. Speaker in the Chair.

Representative Harp moved that the House reconsider its action in failing to pass HB 842 on second reading on the 64th day and that the bill be placed back on second reading this day. Motion carried. (68-31)

Representative Bradley moved that HB 496 be placed at the top of the second reading board. Motion failed. (48-48)

Representative Bradley moved that HB 496 be placed below HB 842 on the second reading board. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 842 - Representative Harp moved that HB 842, second reading copy, be amended as follows:

1. Page 11, line 4.

Strike: "61.7%"

Insert: "58.2%"

2. Page 11, line 6.

Strike: "9.1%"

Insert: "10%"

3. Page 11, line 9.

Strike: "29.2%"

Insert: "31.8%"

4. Page 78, line 7.

Strike: "29.2%"

Insert: "31.8%"

5. Page 83, line 15.

Strike: "20%"

Insert: "10%"

Amendment passed as follows:

Ayes: Addy, Asay, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Winslow, Mr. Speaker.

Total 78

Noes: Bachini, Bardanouve, Bradley, Bulger, Daily, Driscoll, Hansen, Kadas, Koehnke, McCormick, Manuel, Menahan, Moore, Nisbet, Pavlovich, Poulsen, Quilici, Ream, Wallin, Whalen, Williams.

Total 21

Paired: Hannah, Sales, Ayes; Moore, Whalen, Noes.

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

Representative Harp moved that HB 842, as amended, do pass. Representative Vincent made a substitute motion that HB 842, second reading copy, be further amended. Motion failed. (50-50)

HB 842, as amended, failed to pass. (41-59)

Representative Hannah moved that HB 842, as amended, do not pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Grinde, Hannah, Hansen, Harper, Harrington, Hoffman, Holliday, Jenkins, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swift, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 65

Noes: Asay, Brandewie, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Hayne, Iverson, Jones, Keller, Kitselman, Lory, Menke, Miller, Nelson, Peterson, Ramirez, Sales, Sands, Simon, Smith, Stratford, Switzer, Swysgood, Thoft, Thomas, Winslow.

Total 35

Paired: Kadas, Moore, Ayes; Harp, Sales, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 496 - Representative Bradley moved that HB 496, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "AN" through "TAX" on line 7

Insert: "A GROSS RECEIPTS TAX ON PUBLIC CONTRACTS"

2. Title, line 8.

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 9.

Strike: "THROUGH 15-50-207"

Insert: ", MCA"

4. Page 3, line 3.

Strike: "one-half" through "license" on line 4

Insert: "all revenue from the gross receipts"

5. Page 9, line 17.

Following: "tax"

Insert: "and gross receipts tax"

6. Page 9, line 20.

Following: "revenue"

Insert: ":(a)"

7. Page 9, line 21.

Strike: "2%"

Insert: "1%"

8. Page 9, line 23.

Following: "issued"

Insert: "and

(b)"

9. Page 9, line 24.

Following: "fee"

Insert: "and the gross receipts tax"

10. Page 10, line 3.

Strike: "One-half of the"

Insert: "The"

11. Page 10, line 8.

Strike: "One-half of the additional license fee"

Insert: "The gross receipts tax"

12. Page 10, line 11.

Strike: "Section 12." through "credit" on page 12, line 15

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Holliday,

Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: Campbell, Compton, Devlin, Gilbert, Grinde, Hayne, Hoffman, Jenkins, Keller, Meyers, Patterson, Peterson, Ramirez, Smith, Stratford, Swift, Switzer, Mr. Speaker.

Total 18

Excused: Moore, Sales.

Total 2

Absent or not voting: Harp.

Total 1

Representative Bradley moved that HB 496, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Gould, Grady, Hansen, Harp, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 52

Noes: Asay, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 47

Paired: Darko, Aye; Sales, No.

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (57-37)

MOTIONS

Representative Hannah moved that the rules be suspended to allow all bills that passed second reading today to be heard on third reading the same day. Members asked for a clarification of which bills were to be included. The list was announced as follows:

HB 436, HB 496, HB 575, HB 656, HB 726, HB 816, HB 848, HB 864, HB 866

Representative Ramirez made a substitute motion to divide the question, and to vote to suspend the rules on each bill separately. The Chair ruled

the question be divided. Representative Addy objected to the ruling, and appealed the ruling of the Chair. After discussion, Representative Addy withdrew the appeal, and the Chair allowed the question of the division to be put to a vote. The motion to divide failed. (46-52)

The motion to suspend the rules for third reading failed to get the necessary two-thirds. (62-36)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 11:00 a.m., March 25, 1987.

Motion carried.

House adjourned at 11:07 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 25, 1987

House Chambers
State Capitol

House convened at 11:20 a.m., Mr. Speaker in the Chair. Invocation by Representative Marks. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Eudaily, Gilbert, Iverson, Moore, Ramirez, and Russell, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-fifth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 25, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 196, 301, 408, 461, 536, 747, and 755 on March 24, 1987.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 25, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 3, 13, 42, 64, 67, 81, 130, 267, 335, and 452 on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative Lory moved that SB 139 be taken from second reading and rereferred to the Committee on Judiciary for amendment. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 898, introduced by Menahan, Keenan, Lynch. Referred to Committee on Appropriations.

HB 899, introduced by Cobb. Referred to Committee on Appropriations.

HJR 49, introduced by Miles, (By Request of the House Natural Resources Committee). Referred to Committee on Natural Resources.

HJR 50, introduced by Keenan, Schye, Harrington, Lory, Peck, Mercer, Nelson, Eudaily. Referred to Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 53 - Representative Mercer moved that Senate amendments to HB 53 be placed below the Senate amendments to HB 803 on the second reading board because of the absence of the sponsor, Representative Eudaily. Motion carried.

HB 121 - Representative Bachini moved that Senate amendments to HB 121 be placed at the bottom of the second reading board because of the absence of the sponsor, Representative Kadas. Motion carried.

Representatives Russell and Eudaily present at this time.

Representative Compton excused at this time.

HB 123 - Representative Bradley moved that Senate amendments to HB 123 be concurred in. Motion failed. (38-55)

Representative Eudaily moved that Senate amendments to HB 123 be not concurred in. Motion carried as follows:

Ayes: Bachini, Brandewie, J. Brown, Bulger, Campbell, Cohen, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Jenkins, Jones, Kennerly, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Bardanouve, Bradley, D. Brown, Cody, Connelly, Corne', Darko, DeMars, Driscoll, Hansen, Harrington, Holliday, Kadas, Keenan, Keller, Koehnke, McCormick, Manuel, Menahan, Miles, Nisbet, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Sands, Schye, Squires, Stang, Strizich, Vincent, Williams.

Total 35

Paired: Gilbert, Aye; Addy, No.

Excused: Cobb, Compton, Iverson, Moore, Ramirez.

Total 5

Absent or not voting: Asay, Daily, Nelson.

Total 3

HB 163 - Representative Mercer moved that consideration of Senate amendments to HB 163 be passed for the day because he needs to speak to the Department of Justice about it. Motion carried.

HB 210 - Representative Grady moved that Senate amendments to HB 210 be concurred in. Motion failed. (20-73)

Representative Hannah moved that Senate amendments to HB 210 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Bulger, Cohen, Daily, Driscoll, Fritz, Grady, Harper, Harrington, Kadas, Manuel, Nisbet, Pavlovich, Peck, Pistoria, Poulsen, Ream, Schye, Stang, Vincent, Whalen.

Total 20

Excused: Cobb, Compton, Gilbert, Iverson, Moore, Ramirez.

Total 6

Absent or not voting: Bardanouve, Connelly.

Total 2

HB 220 - Representative DeMars moved that Senate amendments to HB 220 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Connelly, Meyers.

Total 2

Excused: Cobb, Compton, Gilbert, Iverson, Moore, Ramirez.

Total 6

Absent or not voting: Bardanouve, Brandewie, Harp.

Total 3

Representatives Cobb, Gilbert, and Iverson present at this time.

HB 236 - Representative Addy moved that Senate amendments to HB 236 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson,

Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay.

Total 1

Excused: Compton, Moore, Ramirez.

Total 3

Absent or not voting: Gilbert, Iverson.

Total 2

Representative Ramirez present at this time.

HB 256 - Representative Pistoria moved that Senate amendments to HB 256 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Lory, Meyers, Miles, Spaeth, Wallin.

Total 5

Excused: Compton, Moore.

Total 2

Absent or not voting: Bardanouve, Gilbert.

Total 2

Representative Compton present at this time.

HB 443 - Representative Corne' moved that Senate amendments to HB 443 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Moore.
Total 1

Absent or not voting: Bardanouve, Nathe.
Total 2

Representative Eudaily moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (92-3)

MOTIONS

Representative Hannah moved that the House stand in recess for lunch until 1:30 p.m. this day. Motion carried.

House recessed at 12:00 noon.

House reconvened at 2:05 p.m.

Mr. Speaker in the Chair.

Representative Hannah moved that the House stand in recess until 2:30 p.m. for party caucuses. Motion carried.

House recessed at 2:08 p.m.

House reconvened at 3:40 p.m.

Mr. Speaker in the Chair.

Representative D. Brown excused at this time.

Representative Moore present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 471 - Representative Raney moved that Senate amendments to HB 471 be placed below HB 546 on the second reading board because of the absence of the sponsor, Representative Darko. Motion carried.

HB 546 - Representative Fritz moved that Senate amendments to HB 546 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer,

Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Driscoll, Hoffman, Whalen.

Total 3

Excused: D. Brown.

Total 1

Absent or not voting: Brandewie, Gilbert, Harp, Nathe, Schye.

Total 5

HB 471 - Representative Darko moved that Senate amendments to HB 471 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Meyers, Whalen.

Total 3

Excused: D. Brown.

Total 1

Absent or not voting: Nathe, Ream.

Total 2

HB 579 - Representative Cobb moved that Senate amendments to HB 579 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Harper, Harrington, Hoffman, Mercer, Meyers, Nathe.

Total 6

HB 640 - Representative Swift moved that Senate amendments to HB 640 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: Harper.

Total 1

HB 654 - Representative Addy moved that Senate amendments to HB 654 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Cody, Hayne, Keller, Meyers, Nisbet.

Total 6

Excused: D. Brown.

Total 1

Absent or not voting: Thomas.

Total 1

HB 699 - Representative Wallin moved that Senate amendments to HB 699 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko,

DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, McCormick, Raney, Squires.

Total 4

Excused: D. Brown.

Total 1

Absent or not voting: Thomas.

Total 1

HB 752 - Representative Winslow moved that Senate amendments to HB 752 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 779 - Representative Schye moved that Senate amendments to HB 779 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Poff, Sales.
Total 2

Excused: D. Brown.
Total 1

Absent or not voting: None.
Total 0

HB 803 - Representative Campbell moved that statement of intent to HB 803 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Giacometto, Hannah, Swysgood.
Total 3

Excused: D. Brown.
Total 1

Absent or not voting: Kennerly.
Total 1

Representative D. Brown present at this time.

HB 53 - Representative Eudaily moved that Senate amendments to HB 53 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Gilbert, Gould, Grady, Grinde, Hansen, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nathe, Nelson, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 74

Noes: Asay, Campbell, Cobb, Corne', Driscoll, Ellison, Fritz, Giacometto, Glaser, Hannah, Hanson, Harper, Hayne, Kadas, Keller, Meyers, Miller, Nisbet, Patterson, Ramirez, Rehberg, Sales, Swysgood, Mr. Speaker.
Total 24

Excused: None.
Total 0

Absent or not voting: Phillips, Smith.

Total 2

HB 20 - Representative M. Hanson moved that HB 20, second reading copy, be amended as follows:

1. Page 1, line 20.

Strike: "\$3000"

Insert: "\$6,000"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Miles, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Campbell, Hayne, McCormick, Meyers, Miller, Nathe, Nisbet, Peck, Raney.

Total 9

Excused: None.

Total 0

Absent or not voting: Compton, Gould, Iverson, Kadas, Moore.

Total 5

Representative M. Hanson moved that HB 20, second reading copy, be further amended as follows:

1. Page 5, line 10.

Strike: "\$3000"

Insert: "\$4,500"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, DeMars, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jones, Keenan, Keller, Kennerly, Lory, Mercer, Miles, Moore, Nelson, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Ream, Russell, Schye, Smith, Squires, Stang, Strizich, Swift, Swysgood, Vincent, Wallin, Whalen, Williams.

Total 54

Noes: Bardanouve, J. Brown, Campbell, Cobb, Darko, Devlin, Donaldson, Ellison, Giacometto, Glaser, Grinde, Hannah, Jenkins, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Meyers, Miller, Nathe, Nisbet, Patterson, Peck, Peterson, Poff, Poulsen, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stratford, Switzer, Thoft, Thomas, Winslow, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: Compton, Driscoll, Iverson, Kadas.

Total 4

Representative M. Hanson moved that HB 20, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Bardanouve, Campbell, Cobb, Devlin, Driscoll, Giacometto, Gilbert, Glaser, Grinde, Hannah, McCormick, Meyers, Miller, Peck, Peterson, Poff, Poulsen, Rehberg, Switzer, Thomas.

Total 20

Excused: None.

Total 0

Absent or not voting: Mercer, Pavlovich.

Total 2

HB 867 - Representative Vincent moved that HB 867 do pass. Motion carried as follows:

Ayes: Addy, Bachini, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 76

Noes: Asay, Bardanouve, Bradley, Brandewie, Campbell, Devlin, Donaldson, Hannah, Hanson, Harp, Hayne, Iverson, Kadas, Mercer, Meyers, Phillips, Rapp-Svrcek, Sales, Simon, Stang, Switzer, Mr. Speaker.

Total 22

Excused: None.

Total 0

Absent or not voting: Connelly, Grinde.

Total 2

HB 880 - Representative Winslow moved that consideration of HB 880 be passed for the day for amendment. Motion carried.

HB 373 - Representative Darko moved that HB 373, second reading copy, be amended as follows:

1. Page 2, line 15.

Strike: "APPROVAL"

Insert: "review"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Corne', Ellison, Harp.

Total 3

Representative Darko moved that HB 373, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Asay, Giacometto, Nathe.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 538 - Representative Winslow moved that HB 538, third reading copy, be amended as follows:

1. Title, line 15.

Strike: "HUMAN DEVELOPMENT"

Insert: "REHABILITATION SERVICES"

2. Title, line 18.

Strike: "JUSTICE,"

3. Page 2, line 21.

Strike: "HUMAN DEVELOPMENT"

Insert: "REHABILITATION SERVICES"

4. Page 4, lines 7 through 9.

Strike: "HUMAN DEVELOPMENT"

Insert: "REHABILITATION SERVICES"

5. Page 6, lines 19 and 23.

Strike: "HUMAN DEVELOPMENT"

Insert: "REHABILITATION SERVICES"

6. Page 12, line 22.

Strike: "justice"

Insert: "rehabilitation services"

7. Page 12, line 25.

Strike: "justice created in 2-15-2001"

Insert: "rehabilitation services"

8. Page 13, lines 20 and 23.

Strike: "military affairs"

Insert: "health and medical services"

9. Page 16, line 18.

Following: "must"

Strike: "be based upon"

Insert: "contain alternative analysis reflecting"

10. Page 16, line 19.

Strike: "established"

Insert: "recommended"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bardanouve, Grinde, Hannah, Pistoria, Mr. Speaker.

Total 5

Representative Winslow moved that HB 538, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen,

Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: Connelly, Kadas, Nisbet, Russell, Stang.

Total 5

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 581 - Representative McCormick moved that HB 581 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 93

Noes: Compton, Gilbert, Iverson.

Total 3

Excused: None.

Total 0

Absent or not voting: Harper, Mercer, Nathe, Mr. Speaker.

Total 4

HB 814 - Representative Donaldson moved that HB 814 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Williams.

Total 1

HB 854 - Representative Vincent moved that HB 854 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Cobb, Nathe, Patterson.

Total 4

Excused: None.

Total 0

Absent or not voting: Mercer, Miller.

Total 2

Representative Iverson in the Chair.

HB 855 - Representative Vincent moved that HB 855 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Asay, Campbell, Cobb, Hannah, Hayne, Hoffman, Keller, Menke, Meyers, Miller, Nathe, Peterson, Phillips, Swift.

Total 14

Excused: None.

Total 0

Absent or not voting: D. Brown, Grinde, Strizich, Thomas.

Total 4

HB 868 - Representative Swysgood moved that HB 868 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Cobb, Connelly, Hannah, Nathe, Stang.

Total 6

Excused: None.

Total 0

Absent or not voting: Asay, Hansen, Thomas.

Total 3

Representative Simon in the Chair.

HJR 42 - Representative Vincent moved that HJR 42 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: Asay, Ellison, Giacometto, Grinde, Hannah, Hayne, Menke, Meyers, Peterson, Phillips, Ramirez, Mr. Speaker.

Total 12

Excused: None.

Total 0

Absent or not voting: Moore, Thomas.

Total 2

HB 7 - Representative Thoft moved that HB 7 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke,

Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 87

Noes: Asay, Cobb, Hannah, Hanson, Jones, Nelson, Peterson, Phillips, Poulsen, Sales, Switzer.
Total 11

Excused: None.
Total 0

Absent or not voting: Grinde, Kitselman.
Total 2

HB 744 - Representative Ramirez moved that HB 744, second reading copy, be amended as follows:

1. Page 10, lines 5 through 9.
Strike: "AND" on line 5 through "COMMISSION" on line 9

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Koehnke, Meyers, Poff, Stang, Swysgood.
Total 5

Excused: None.
Total 0

Absent or not voting: Cohen, Nathe, Thomas.
Total 3

Representative Ramirez moved that HB 744, as amended, do pass.
Representative Stang made a substitute motion that HB 744, second reading copy, be further amended as follows:

1. Page 7, lines 15 and 24.
Strike: "ELEMENTARY"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Miles, Miller,

Moore, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bachini, Ellison, Koehnke, Nathe, Peck, Raney.

Total 6

Excused: None.

Total 0

Absent or not voting: Hannah, Harper, McCormick, Mercer, Meyers, Pavlovich, Thoft, Thomas, Wallin.

Total 9

HB 744, as amended, passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, O'Connell, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Bachini, Devlin, Glaser, Gould, Hanson, Holliday, Iverson, Jenkins, Jones, Koehnke, McCormick, Meyers, Nathe, Nisbet, Patterson, Pavlovich, Pistoria, Poff, Schye, Smith.

Total 20

Excused: None.

Total 0

Absent or not voting: Campbell, Mercer, Thoft.

Total 3

HB 881 - Representative Bradley moved that HB 881 do pass. Motion carried as follows:

Ayes: Addy, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Bachini, D. Brown, Campbell, Daily, Driscoll, Ellison, Glaser, Gould, Grinde, McCormick, Patterson, Peck, Pistoria, Raney, Roth, Sales, Swysgood, Thoft.

Total 18

Excused: None.

Total 0

Absent or not voting: Asay, Bardanouve, Switzer.

Total 3

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved the adoption of the committee report. Report adopted. (87-10)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/24/87

Correctly printed: HB 849, HB 886, HJR 44, HJR 45.

Correctly engrossed: HB 436, HB 575, HB 656, HB 726, HB 816, HB 848, HB 864, HB 866.

Examined by the sponsor and found to be correct:

HB 19 - Mercer

HB 505 - Menahan

HB 180 - Fritz

HB 682 - Spaeth

HB 242 - Harper

HB 792 - Wallin

HB 388 - Asay

HB 815 - Hanson

HB 389 - Brandewie

HJR 19 - Miles

Signed by the Speaker at 9:45 p.m.: HB 19, HB 180, HB 242, HB 388, HB 389, HB 505, HB 682, HB 792, HB 815, HJR 19.

Delivered to the Governor for his approval at 10:11 a.m., 3/25/87: HB 94, HB 188, HB 240, HB 273, HB 359, HB 370, HB 499, HB 511, HB 541, HB 555, HB 569, HB 574, HB 580, HB 589, HB 605, HB 615, HB 669, HB 689, HB 722.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

3/20/87

HB 887, introduced bill, be amended as follows:

1. Title, line 4.

Following: "ESTABLISHING A"

Insert: "REVISED"

2. Title, lines 6 through 10.

Following: "FOR" on line 6

Insert: "FARM"

Following: "FINANCIAL" on line 6

Strike: "COUNSELING"

Insert: "CONSULTING"

Following: "," on line 7

Strike: "REQUIRING"

Insert: "AUTHORIZING"

Following: "TO" on line 8

Strike: remainder of line 8 through "PROGRAM" on line 10

Insert: "CHARGE REASONABLE FEES TO DEFRAY THE COSTS OF PROVIDING FINANCIAL CONSULTING SERVICES"

3. Title, line 11.

Following: "80-13-104"

Insert: "AND 80-13-111"

4. Page 2, lines 1 through 4.

Following: ";

Strike: remainder of line 1 through ";" on line 4

5. Page 4, line 7.

Following: "(a)"

Insert: "farm"

Following: "~~consulting~~"

Strike: "~~counseling~~"

Insert: "~~consulting~~"

6. Page 5.

Following: line 8

Insert: "(a) utilize the services of:

(i) a network of trained peer counselors who can directly assist financially distressed farmers;

(ii) the cooperative extension service and the college of agriculture at Montana state university;

(iii) state or federal agencies;

(iv) community service organizations;

(v) private business;

(vi) professional organizations;

(vii) regional mental health corporations;

(viii) volunteer organizations; and

(ix) any other person or entity capable of providing assistance to farmers;"

Renumber: subsequent subsections

7. Page 5, lines 10 and 11.

Following: "~~including~~" on line 10

Insert: "personnel, including"

Following: "~~professional,~~" on line 11

Insert: "and farm financial consultants,"

8. Page 5, lines 13 and 14.

Following: "~~and~~" on line 13

Insert: "a coordinator and"

Following: "~~manage~~" on line 14

Strike: "~~assist in the administration of~~"

Insert: "implement and manage"

9. Page 5, line 17.

Following: "~~including~~"

Insert: "interested and qualified persons, including"

Following: "counselors;"

Insert: " ,"

10. Page 6.

Following: line 6

Insert: "Section 5. Section 80-13-111, MCA, is amended to read:

"80-13-111. (Temporary) Gifts and grants to support program. (1) The department may accept monetary or in-kind contributions, gifts, and grants provided to support the program.

(2) The department may receive grants on a matching formula basis to be used in accordance with the terms and conditions for receipt of such grants."

NEW SECTION. Section 6. Authorization for collection of fees. The department may charge reasonable fees to defray the costs of providing financial consulting services under [this act]."

Renumber: subsequent sections

11. Page 6, line 17.

Following: "Appropriation"

Insert: "— expenditure of fees and grants authorized"

Following: " "

Insert: "(1)"

12. Page 6, line 21.

Following: "act"

Strike: " "

Insert: " ."

13. Page 6.

Following: line 23

Insert: "(2) In addition to the appropriation provided in subsection (1), the department of agriculture may expend \$50,000 in grants and fees during the biennium. Such expenditure must be made for purposes of administering the program established under [this act]."

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Donaldson, Chairman):

3/25/87

HB 888, introduced bill, be amended as follows:

1. Page 2, line 20.

Following: "currently"

Insert: "are not eligible for AFDC but"

Following: "be eligible"

Strike: "for AFDC"

And, as amended, do pass. Report adopted.

SB 88, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/25/87

SB 181, third reading copy, be amended as follows:

1. Page 1, line 24 through line 1, page 2.

Strike: "TO pay" on page 1, line 24 through "OR MORE" on line 1, page 2

Insert: " , when assessed a fine, costs, or restitution of \$100 or more, failed to pay such fine, costs, or restitution"

2. Page 2, line 11.

Following: "COURT"

Insert: "for deposit in the state general fund"

3. Page 2, line 16.

Following: "LICENSE"

Insert: " , unless the operator or chauffeur otherwise is not entitled to reinstatement"

4. Page 2, line 21.

Strike: "Section 1 is"

Insert: "Sections 1 through 3 are"

5. Page 2, line 24.

Strike: "section 1"

Insert: "sections 1 through 3"

And, as amended, be concurred in. Report adopted.

SB 257, be concurred in. Report adopted.

SB 303, third reading copy, be amended as follows:

1. Title, line 11.

Following: "41-3-102"

Strike: " , "

Insert: "AND"

Following: "41-3-401."

Strike: "THROUGH 41-3-403, AND 41-3-612"

2. Page 3, line 4.

Following: "treatment"

Strike: " , "

Following: "OR"

Insert: "medically indicated"

3. Page 8, line 23 through line 19, page 11.

Strike: sections 3 through 5 in their entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

3/25/87

SB 145, be concurred in. Report adopted.

SB 146, be concurred in. Report adopted.

SB 147, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee

on Senate Bill No. 151

Report No. 1, March 25, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 151 met and considered:

Senate Bill No. 151, reference copy.

We recommend as follows:

That Senate Bill No. 151, reference copy, be amended as follows:

1. Page 2, line 9.

Strike: "JUNE"

Insert: "September"

2. Page 2, lines 16 through 20.

Strike: "ANY" on line 16 through "ASSOCIATION." on line 20

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Galt

Thoft

Walker

Iverson

Stimat

Holliday

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Senate amendments to the following House bills: HB 123, HB 256, and HB 752. Motion carried.

Representative Hannah moved that the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on Senate amendments to the following House bills: HB 471 and HB 210. Motion carried.

Speaker Marks appointed Representatives Mercer, Keller, and Bradley to the conference committee on Senate amendments to HB 123.

Speaker Marks appointed Representatives Simon, Kitselman, and Darko to the free conference committee on Senate amendments to HB 471.

Speaker Marks appointed Representatives Swysgood, Grady, and DeMars to the free conference committee on Senate amendments to HB 210.

Speaker Marks appointed Representatives Gilbert, Winslow, and Bulger to the conference committee on Senate amendments to HB 752.

Speaker Marks appointed Representatives Sales, Campbell, and Pistoria to the conference committee on Senate amendments to HB 256.

Representative Donaldson moved that HB 867, the super collider bill, HB 854, the one-stop licensing bill, and HB 855, the Montana Ambassador bill, all of which just passed second reading, be rereferred to the Committee on Appropriations. Motion carried.

Representative Donaldson moved that HB 436, the bill requiring 20% of property to be appraised every year, be taken from third reading and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 11:00 a.m., March 26, 1987.

Motion carried.

House adjourned at 6:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 26, 1987

House Chambers
State Capitol

House convened at 11:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Addy. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore and Williams, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-sixth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 26, 1987

Dear Speaker Marks:

Please be informed that I signed House Bill No. 21 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 26, 1987

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 103, "~~AN ACT CLARIFYING REVISING THE METHOD FOR PAYMENT OF THE STANDARD PREVAILING RATE OF WAGES UNDER THE PROVISIONS OF THE "LITTLE DAVIS BACON ACT" WHEN AN EMPLOYER IS NOT A PARTY TO A COLLECTIVE BARGAINING AGREEMENT; ELIMINATING THE REQUIREMENT TO PAY FRINGE BENEFITS AS WAGES; REPEALING SECTION 18-2-405, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE~~" without my signature and recommend the attached amendments for the following reasons.

Under current law, a non-union contractor is required to pay fringe benefits as wages on all public contracts. Senate Bill 103, as passed, authorizes that contractor to pay those fringe benefits as wages, or to pay them into a pension plan approved by certain federal or state agencies.

Because public contracts represent only a small portion of most contractors' work, this requirement may lead to the creation of temporary pension and benefit plans for individual public projects. My third amendment limits payment of pension and benefit contributions on public contracts to pension and benefits plans that the contractor maintains for his private contracts as well.

My second and third amendments remove unnecessary state duplication of federal functions by striking the provision for approval of fringe benefit plans by the State Auditor.

My first amendment corrects a grammatical error that resulted from amendments in the bill before passage.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 103

1. Page 1, line 16.

Following: "18-2-403"

Strike: "a,"

2. Page 2, line 2.

Following: "LABOR"

Strike: " , "

Insert: "or"

3. Page 2, line 3.

Following: "SERVICE"

Strike: " OR THE MONTANA COMMISSIONER OF INSURANCE"

Insert: "and provided that the employer also makes contributions to that plan for his employees whenever he is performing a private sector contract"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/25/87

HB 193, introduced by Nathe

HB 198, introduced by Roth

HB 231, introduced by Fritz

HB 358, introduced by Bardanouve

HB 402, introduced by Strizich

HB 449, introduced by Marks

HB 467, introduced by Ream

HB 537, introduced by Patterson

HB 576, introduced by Eudaily

HB 651, introduced by Jenkins

HB 729, introduced by Winslow

HB 820, introduced by Fritz

HJR 28, introduced by Driscoll

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/25/87

HB 417, introduced by J. Brown

HB 831, introduced by Holliday

House amendments to Senate bills concurred in: 3/25/87

SB 118, introduced by Halligan

SB 136, introduced by Mazurek

SB 176, introduced by Eck

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 460 - Representative Keenan moved that HB 460 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Devlin, Ellison, Glaser, Meyers, Patterson, Raney, Sales.

Total 8

Excused: Moore, Williams.

Total 2

Absent or not voting: Kadas, Strizich, Thoft.

Total 3

HB 702 - Representative Vincent moved that HB 702 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff,

Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 92

Noes: Hanson, Jones, Ramirez, Stratford.
Total 4

Excused: Moore, Williams.
Total 2

Absent or not voting: Strizich, Thoft.
Total 2

HB 878 - Representative Addy moved that HB 878 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.
Total 88

Noes: Cobb, Jones, Meyers, Miller, Peck.
Total 5

Excused: Moore, Williams.
Total 2

Absent or not voting: D. Brown, Mercer, Strizich, Thoft, Mr. Speaker.
Total 5

HB 69 - Representative Hayne moved that Senate amendments to HB 69 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.
Total 90

Noes: Hannah, Sales, Swift.
Total 3

Excused: Moore, Williams.
Total 2

Absent or not voting: D. Brown, Kadas, Strizich, Thoft, Mr. Speaker.
Total 5

HB 121 - Representative Kadas moved that Senate amendments to HB 121 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 94

Noes: None.

Total 0

Excused: Moore, Williams.

Total 2

Absent or not voting: Peterson, Strizich, Thoft, Mr. Speaker.

Total 4

HB 163 - Representative Mercer moved that Senate amendments to HB 163 be not concurred in. Representative D. Brown made a substitute motion that Senate amendments to HB 163 be concurred in. Motion failed. (31-63)

Senate amendments to HB 163 not concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 77

Noes: D. Brown, Campbell, Cody, Cohen, Driscoll, Harrington, Iverson, McCormick, Menahan, Nisbet, Phillips, Quilici, Ramirez, Rehberg, Roth, Sales, Strizich, Swysgood, Whalen.

Total 19

Excused: Moore, Williams.

Total 2

Absent or not voting: Asay, Poff.

Total 2

Representative Williams present at this time.

Representative Thoft excused at this time.

HB 397 - Representative Spaeth moved that Senate amendments to HB 397 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Addy, Bardanouve, Bradley, D. Brown, Bulger, Cohen, Connelly, Darko, DeMars, Driscoll, Hansen, Kadas, Miles, Miller, Nisbet, Peck, Poulsen, Raney, Ream, Russell, Schye, Squires, Strizich, Whalen.

Total 24

Excused: Moore, Thoft.

Total 2

Absent or not voting: Harper, Stang.

Total 2

HB 804 - Representative Jenkins moved that Senate amendments to HB 804 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cody, Raney.

Total 2

Excused: Moore, Thoft.

Total 2

Absent or not voting: Harper.

Total 1

HB 823 - Representative Squires moved that Senate amendments to HB 823 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 95

Noes: Hannah.

Total 1

Excused: Moore, Thoft.

Total 2

Absent or not voting: Harper, Mr. Speaker.

Total 2

HB 849 - Representative Quilici moved that HB 849 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Moore, Thoft.

Total 2

Absent or not voting: Cobb.

Total 1

Representative Donaldson excused at this time.

Representative Raney in the Chair.

HB 880 - Representative Winslow moved that HB 880, second reading copy, be amended. Amendment failed. (39-55)

Representative Kadas moved that HB 880, second reading copy, be amended as follows:

1. Statement of intent, page 1, line 7.

Strike: "periodic"

Insert: "quarterly"

2. Statement of intent, page 1, line 21.

Strike: "periodic"

Insert: "quarterly"

3. Title, line 7.

Strike: "PERIODIC"

Insert: "QUARTERLY"

4. Page 9, line 8.

Following: "a"

Insert: "quarterly"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Meyers.

Total 2

Excused: Donaldson, Moore, Thoft.

Total 3

Absent or not voting: Schye.

Total 1

Representative Winslow moved that HB 880, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Cobb, Hannah, Jenkins.

Total 4

Excused: Donaldson, Moore, Thoft.

Total 3

Absent or not voting: Schye.

Total 1

Representative Schye in the Chair.

HB 886 - Representative Winslow moved that HB 886 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Connelly, Corne', Daily, Darko, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Williams, Winslow, Mr. Speaker.

Total 74

Noes: Addy, D. Brown, Cohen, DeMars, Driscoll, Hansen, Harper, Jones, Kadas, Kennerly, Lory, Miles, Nisbet, Russell, Schye, Smith, Spaeth, Squires, Strizich, Vincent, Wallin, Whalen.

Total 22

Excused: Donaldson, Moore, Thoft.

Total 3

Absent or not voting: Compton.

Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (88-6)

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 163. Motion carried.

Speaker Marks appointed Representatives Mercer, Giacometto, and D. Brown to the conference committee on Senate amendments to HB 163.

Representative Harp moved that HJR 41, the revenue estimating bill, be taken from the Committee on Taxation and printed and placed on second reading this day, as it must meet the transmittal deadline. Motion carried.

Representative Miles moved that Cohen, C. Smith, Jones, Addy, Harper, Strizich, Kadas, Grady, Simon, Roth, Cobb, Russell, Raney, Meyers, Harp, Asay, and Peterson be added as sponsors to HJR 49. Motion carried.

Representative Whalen moved that HB 694 be taken from the table in the Committee on Appropriations and printed and placed on second reading this day. This is Representative Thomas's bill dealing with requiring liability insurers to report certain information. After debate, Representative Mercer moved the previous question. Motion carried. (66-20) The Whalen motion failed. (40-53)

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 1:30 p.m. Motion carried.

House recessed at 12:30 p.m.

House reconvened at 2:10 p.m.

Mr. Speaker in the Chair.

Representative Asay and the Highway Committee excused at this time.

Representatives Donaldson and Thoft present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 44 - Representative Pavlovich moved that HJR 44 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Glaser, Gould, Grady, Hansen, Harper, Harrington, Holliday, Iverson, Jenkins, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 73

Noes: Campbell, Cobb, Devlin, Giacometto, Gilbert, Grinde, Hannah, Hanson, Hayne, Hoffman, Menke, Sales, Switzer, Thoft, Mr. Speaker.

Total 15

Excused: Asay, Fritz, Harp, Jones, Kadas, Kennerly, Moore, Roth, Stang.

Total 9

Absent or not voting: Bardanouve, Mercer, O'Connell.

Total 3

The Highway Committee returning at this time.

HJR 45 - Representative Winslow moved that HJR 45 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 89

Noes: Campbell, Cody, Hoffman, Sales, Thoft, Mr. Speaker.

Total 6

Excused: Asay, Moore, Roth.

Total 3

Absent or not voting: Bardanouve, Mercer.

Total 2

HB 277 - Representative Connelly moved that Senate amendments to HB 277 be concurred in. Representative Patterson made a substitute motion that Senate amendments to HB 277 be not concurred in. Motion carried as follows:

Ayes: D. Brown, Campbell, Cobb, Compton, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller,

Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Roth, Sales, Sands, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Whalen, Mr. Speaker.

Total 53

Noes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Eudaily, Fritz, Grady, Hansen, Harp, Harper, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Miles, Pavlovich, Peck, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Spaeth, Squires, Vincent, Wallin, Williams.

Total 41

Excused: Asay, Moore.

Total 2

Absent or not voting: Bardanouve, Cody, Menahan, Winslow.

Total 4

HB 363 - Representative Hoffman moved that Senate amendments to HB 363 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Asay, Moore.

Total 2

Absent or not voting: Bardanouve, Cody, Mercer, Nisbet.

Total 4

Representative Asay present at this time.

HB 566 - Representative Keenan moved that Senate amendments to HB 566 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Grinde, Hannah.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 837 - Representative Jenkins moved that Senate amendments to HB 837 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Connelly.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Squires.

Total 2

HJR 41 - The Chairman, without objection, moved HJR 41 to the top of the second reading board.

Representative Harp moved that HJR 41, second reading copy, be amended as follows:

1. Page 5.

Following: line 21

Insert: "Resource Indemnity Trust \$0.644 \$1.400 0 0"

2. Page 6, line 7.

Following: "\$309.7"

Strike: "\$3.467"

Insert: "\$346.7"

3. Page 6.

Strike: line 19 in its entirety

4. Page 8.

Strike: line 6 in its entirety

5. Page 8, line 19.

Following: "\$130.076000"

Strike: "\$149.495000"

Insert: "\$149.459000"

6. Page 9, line 22.

Insert: "\$" in front of the numbers in all 3 columns

7. Page 9, line 24.

Following: "2.160000"

Strike: "3.320000"

Insert: "2.320000"

8. Page 10, line 3.

Following: "STATE"

Strike: "\$125.538000"

Insert: "\$124.344000"

9. Page 10.

Following: line 15

Insert: "Current Law

Other Revenue Estimates

(In Millions)

Source of Revenue

Resource	Indemnity	Trust	Earnings	\$7.459	\$6.375	\$6.722"
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Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Hansen, Hanson, Nisbet, Peck, Sales, Stang.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Cohen, Spaeth, Switzer.

Total 3

Representative Harp moved that HJR 41, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cohen, Whalen.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Harper, Nathe, Thoft.

Total 3

SB 49 - Representative Miles moved that SB 49, third reading copy, be amended as follows:

1. Page 1, line 23.

Following: "MEANS"

Insert: ": (a)"

2. Page 1, line 24.

Following: "1954"

Insert: ","

Following: line 24

Insert: "(b)"

3. Page 1, line 25.

Following: "CORPORATION"

Strike: "INCORPORATED" through "ACT" on page 2, line 1

Insert: "or organization which is eligible for or has been granted by the department of revenue, tax exempt status under the provisions of 15-31-102"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Asay, Sales, Whalen.

Total 3

Representative Miles moved that SB 49, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles,

Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cohen, Whalen.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Asay, Rehberg.

Total 2

SB 51 - Representative Mercer moved that consideration of SB 51 be passed for the day because the bill was not in the packet. Motion carried.

SB 53 - Representative Keller moved that SB 53 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 90

Noes: Campbell, Cody, Giacometto, Glaser, Grinde, Hansen, Stang, Swysgood.

Total 8

Excused: Moore.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (94-2)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/26/87

Correctly printed: HB 155, HB 887, HB 888, HJR 41.

Correctly engrossed: HB 7, HB 20, HB 373, HB 496, HB 538, HB 581, HB 744, HB 814, HB 854, HB 855, HB 867, HB 868, HB 881, HJR 41, HJR 42.

Correctly enrolled: HB 4, HB 28, HB 66, HB 141, HB 261, HB 263, HB 386, HB 424, HB 430, HB 483, HB 487, HB 493, HB 532, HB 533, HB 645, HB 769, HJR 18, HJR 21.

Examined by the sponsor and found to be correct:

HB 4 - Thoft
 HB 28 - Jenkins
 HB 66 - Pavlovich
 HB 141 - Bardanouve
 HB 261 - Nathe
 HB 263 - Bachini
 HB 386 - Cody
 HB 430 - Brandewie
 HB 483 - Bradley

HB 487 - Thomas
 HB 493 - Nathe
 HB 532 - Poulsen
 HB 645 - D. Brown
 HB 769 - Patterson
 HB 533 - Campbell
 HJR 18 - Connelly
 HJR 21 - Mercer

Delivered to the Governor for his approval at 9:04 a.m.: HB 19, HB 180, HB 242, HB 388, HB 389, HB 505, HB 682, HB 792, HB 815.

APPROPRIATIONS (Donaldson, Chairman): 3/26/87

HB 155, do pass. Report adopted.

SB 96, be concurred in. Report adopted.

SB 134, be concurred in. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman): 3/26/87

SB 34, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 3/26/87

Adverse Committee Reports

SB 365, be not concurred in.

COMMUNICATIONS AND PETITIONS

Representative Vincent read a letter from Delta Airlines, thanking the Legislature for the House Joint Resolution passed welcoming them to Montana, and pledging to provide good service to the people of Montana.

MOTIONS

Representative Hannah moved that the rules be suspended to allow HJR 41, which just passed second reading, to be heard on third reading this day. Motion carried.

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 277. Motion carried.

Speaker Marks appointed Representatives Sales, Eudaily, and Connelly to the conference committee on Senate amendments to HB 277.

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 837. Motion carried.

Speaker Marks appointed Representatives Jenkins, M. Hanson, and Holliday to the free conference committee on the Senate amendments to HB 837.

Representative Donaldson moved that HB 887, the agriculture assistance bill which is scheduled for second reading tomorrow, be rereferred to the Committee on Appropriations, so that it would only have to be on second reading once. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Cobb, Hannah, Hanson, Jones, Peterson, Sales.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Asay, Corne', Grady, Grinde, Harrington, Hoffman, Koehnke, O'Connell, Squires, Swift.

Total 10

HB 496 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, Lory, Manuel, Menahan, Miles, Miller, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Mr. Speaker.

Total 53

Noes: Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, McCormick, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow.

Total 45

Excused: Moore.

Total 1

Absent or not voting: Giacometto.

Total 1

HB 575 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: D. Brown, Campbell, Driscoll, Harrington, Jones, Keenan, Menahan, Meyers, Whalen.

Total 9

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 581 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Compton, Sands.

Total 2

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 656 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Bardanouve, Bradley, Bulger, Campbell, Cody, Gould, Hannah, Kadas, Nisbet, Patterson, Raney.

Total 11

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 726 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko,

DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Brandewie, Campbell, Driscoll, Gilbert, Grinde, Hanson, Harp, Nisbet, O'Connell, Patterson, Switzer, Whalen.

Total 12

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 814 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Bulger, Simon.

Total 2

HB 816 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Corne', Fritz, Grinde, Kadas, Kennerly, Meyers, Miles, Nisbet, Peck, Quilici, Raney, Sales, Schye, Squires, Stang, Whalen.

Total 21

Excused: Moore.

Total 1

Absent or not voting: Pistoria, Ream.

Total 2

HB 848 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hannah, Meyers, Nisbet, Ramirez.

Total 4

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 864 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Campbell, Sales, Stang, Swysgood.

Total 4

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 866 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde,

Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Asay, Campbell, Devlin, Driscoll, Ellison, Giacometto, Glaser, Hannah, Meyers, Nisbet, Patterson, Pavlovich, Sales.

Total 13

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 868 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Cobb, Hannah, Nathe, Ream, Stang.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Hansen.

Total 1

HJR 42 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Devlin, Ellison, Gilbert, Hayne.

Total 5

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 53, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Campbell, Corne', Hannah, Hanson, Nisbet, Peck, Peterson, Raney, Swysgood.

Total 9

Excused: Moore.

Total 1

Absent or not voting: Hansen.

Total 1

HB 220, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 236, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Harp, Jenkins.

Total 2

HB 443, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Campbell, Ellison, Fritz, Giacometto, Nathe, Peck.

Total 6

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 546, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 579, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Ream.

Total 1

HB 640, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Connelly, Hansen, McCormick.

Total 3

Excused: Moore.

Total 1

Absent or not voting: O'Connell, Ream.

Total 2

HB 654, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto,

Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cody, Driscoll, Grinde, Hayne, Jones, Meyers, Nisbet, Pavlovich, Peck, Stang.

Total 10

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

HB 699, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: D. Brown, Cobb, Darko, DeMars, Driscoll, Hansen, Harper, McCormick, Nisbet, Raney, Squires, Strizich.

Total 12

Excused: Moore.

Total 1

Absent or not voting: Harp.

Total 1

HB 779, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Harp.

Total 1

HB 803, statement of intent, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Grinde, Hannah, Nathe, Peck, Swysgood.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Hansen.

Total 1

HJR 41 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cobb, Cohen, Whalen.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Asay.

Total 1

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 900, introduced by Winslow. Referred to Committee on Appropriations.

HB 901, introduced by Rehberg, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

HB 902, introduced by Harp, Winslow, Miller, Donaldson. Referred to Committee on Taxation.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:00 a.m., March 27, 1987.

Motion carried.

House adjourned at 4:20 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 27, 1987

House Chambers
State Capitol

House convened at 10:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Daily, Moore, Rapp-Svrcek, and the Taxation Committee, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-seventh legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 3/26/87

HB 253, introduced by Ream

HB 282, introduced by Lory

HB 429, introduced by Schye

HB 454, introduced by Brandewie

HB 492, introduced by Miles

HB 513, introduced by Daily

HB 762, introduced by J. Brown

HB 810, introduced by Harrington

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/26/87

HB 78, introduced by J. Brown

HB 344, introduced by Asay

HB 486, introduced by Koehnke

HB 612, introduced by Roth

HB 679, introduced by Keenan

HB 771, introduced by Glaser

House bill not concurred in and returned to the House: 3/26/87

HB 565, introduced by Pistoria

The Senate, on 3/26/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 471.

The President appointed the following members:

Senator Eck, Chairman
Senator Keating
Senator McLane

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative M. Hanson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 66 - Representative Simon moved that SB 66 be concurred in. Motion carried as follows:

Ayes: Addy, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Eudaily, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Miller, Nathe, Nelson, O'Connell, Peterson, Phillips, Pistoria, Poulsen, Rehberg, Roth, Sales, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow.

Total 44

Noes: Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Connelly, Darko, DeMars, Donaldson, Driscoll, Fritz, Giacometto, Hansen, Harp, Harper, Harrington, Holliday, Kennerly, McCormick, Menahan, Meyers, Miles, Nisbet, Pavlovich, Peck, Poff, Quilici, Ream, Russell, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 37

Excused: Asay, Daily, Ellison, Gilbert, Hoffman, Keenan, Koehnke, Moore, Patterson, Ramirez, Raney, Rapp-Svrcek, Sands, Schye, Williams.

Total 15

Absent or not voting: Corne', Kadas, Manuel, Mr. Speaker.

Total 4

SB 170 - Representative Nelson moved that SB 170 be placed below SB 369 on the second reading board because Representative Sands is out of the chamber. Motion carried.

SB 127 - Representative Nelson moved that SB 127 be placed below SB 88 on the second reading board because Representative Sands is out of the chamber. Motion carried.

SB 92 - Representative Iverson moved that SB 92 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 83

Noes: None.

Total 0

Excused: Asay, Daily, Ellison, Gilbert, Hoffman, Keenan, Koehnke, Moore, Patterson, Ramirez, Raney, Rapp-Svrcek, Sands, Schye, Williams.

Total 15

Absent or not voting: Bardanouve, Mr. Speaker.

Total 2

SB 102 - Representative Keller moved that SB 102 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 84

Noes: None.

Total 0

Excused: Asay, Daily, Ellison, Gilbert, Hoffman, Keenan, Koehnke, Moore, Patterson, Ramirez, Raney, Rapp-Svrcek, Sands, Schye, Williams.

Total 15

Absent or not voting: Mr. Speaker.

Total 1

SB 121 - Representative Grady moved that SB 121 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 82

Noes: Cobb, Fritz.

Total 2

Excused: Asay, Daily, Gilbert, Hoffman, Keenan, Koehnke, Moore, Patterson, Ramirez, Raney, Rapp-Svrcek, Sands, Schye, Williams.

Total 14

Absent or not voting: Bardanouve, Ream.

Total 2

SB 152 - Representative Bulger moved that SB 152 be placed at the bottom of the second reading board for clarification. Motion carried.

Representative Rapp-Svrcek present at this time.

SB 164 - Representative Addy moved that SB 164 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Asay, Daily, Hoffman, Keenan, Koehnke, Moore, Patterson, Ramirez, Raney, Sands, Schye, Williams.

Total 12

Absent or not voting: Bardanouve, D. Brown.

Total 2

Representative D. Brown excused at this time.

SB 210 - Representative Winslow moved that SB 210, third reading copy, be amended as follows:

1. Title, line 4.

Following: "“AN ACT”

Strike: "INCLUDING" through "MEDICAID;" on line 6

2. Title, line 10.

Following: "33-30-101,"

Insert: "AND"

Following: "33-30-113,"

Strike: "AND 53-6-101,"

3. Page 5, line 19 through page 7, line 2.

Strike: section 4 in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Bardanouve, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Quilici, Rehberg, Roth, Sales, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Bachini, Bradley, J. Brown, Bulger, Cody, Cohen, Corne', Darko, DeMars, Driscoll, Eudaily, Hansen, Harper, Harrington, Kadas, Kennerly, Kitselman, McCormick, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Rapp-Svrcek, Ream, Russell, Squires, Stang, Strizich, Vincent, Whalen.

Total 35

Excused: Asay, D. Brown, Daily, Hoffman, Keenan, Koehnke, Moore, Ramirez, Raney, Sands, Schye, Williams.

Total 12

Absent or not voting: Connelly.

Total 1

Representative Addy excused at this time.

Representative S. Hansen moved that SB 210, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Mr. Speaker.

Total 71

Noes: Campbell, Devlin, Ellison, Giacometto, Gilbert, Hannah, Hayne, Keller, Menke, Nathe, Peterson, Poff, Sales, Wallin.

Total 14

Excused: Addy, Asay, D. Brown, Daily, Hoffman, Keenan, Koehnke, Moore, Ramirez, Raney, Sands, Schye, Williams.

Total 13

Absent or not voting: Bardanouve, Winslow.

Total 2

SB 219 - Representative Brandewie moved that SB 219 be placed below HB 246 on the second reading board for amendment. Motion carried.

SB 241 - Representative Mercer moved that SB 241 be placed at the bottom of the second reading board because the committee amendments were not attached to the bill. Motion carried.

SB 252 - Representative Miles moved that SB 252 be concurred in. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 85

Noes: Nathe, Peck.

Total 2

Excused: Addy, Asay, D. Brown, Daily, Hoffman, Moore, Ramirez, Raney, Sands, Williams.

Total 10

Absent or not voting: Bardanouve, Menahan, Mr. Speaker.

Total 3

Representative Addy present at this time.

The Committee on Taxation returning at this time.

SB 258 - Representative Giacometto moved that SB 258 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.
Total 90

Noes: Campbell.

Total 1

Excused: Asay, D. Brown, Daily, Hoffman, Moore.

Total 5

Absent or not voting: Cobb, Hansen, Williams, Mr. Speaker.

Total 4

SB 320 - Representative Peterson moved that SB 320 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.
Total 86

Noes: Campbell, Cobb, Glaser, Grinde, Jenkins, Switzer, Swysgood.

Total 7

Excused: Asay, D. Brown, Daily, Hoffman, Moore.

Total 5

Absent or not voting: Williams, Mr. Speaker.

Total 2

SB 331 - Representative Ream moved that SB 331, third reading copy, be amended. Amendment failed. (44-49)

Representative Keller moved that SB 331 be concurred in. Representative Ream made a substitute motion that SB 331, third reading copy, be amended as follows:

1. Title, line 10.

Strike: “,”

Insert: "AND"

2. Title, line 11.

Strike: "87-2-505, AND 87-2-711,"

3. Page 1, line 21.

Following: "\$2,"

Insert: "and"

4. Page 1, line 22.

Following: "\$23"

Strike: remainder of lines 22 through "\$23" on line 24

5. Page 4, line 11 through line 12, page 5.

Strike: sections 7 and 8 in their entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 80

Noes: Campbell, Cobb, Giacometto, Glaser, Grady, Hoffman, Keller, Menke, Meyers, Nathe, Patterson, Phillips, Roth, Sales, Stratford, Swift.
Total 16

Excused: D. Brown, Daily, Moore.
Total 3

Absent or not voting: Williams.
Total 1

SB 331, as amended, concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Fritz, Gilbert, Grady, Hansen, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 67

Noes: Bachini, Bradley, Campbell, Cobb, Cohen, DeMars, Ellison, Eudaily, Giacometto, Glaser, Gould, Grinde, Hansen, Harper, Kadas, Koehnke, McCormick, Miles, Patterson, Peck, Rapp-Svrcek, Ream, Squires, Stang, Swysgood, Thoft, Whalen.
Total 27

Excused: D. Brown, Daily, Moore.
Total 3

Absent or not voting: Donaldson, Hannah, Menahan.

Total 3

SB 369 - Representative Jones moved that SB 369 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: DeMars, Sales.

Total 2

Excused: D. Brown, Daily, Moore.

Total 3

Absent or not voting: Nathe, Squires.

Total 2

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman M. Hanson moved the adoption of the committee report. Report adopted. (86-6)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/27/87

Correctly printed: HB 896.

Correctly engrossed: HB 460, HB 702, HB 849, HB 878, HB 880, HB 886, HJR 44, HJR 45, SB 49, SB 53.

Signed by the Speaker 4:45 p.m., 3/26/87: HB 4, HB 28, HB 66, HB 141, HB 261, HB 263, HB 386, HB 430, HB 483, HB 487, HB 493, HB 532, HB 533, HB 645, HB 769, HJR 18, HJR 21.

Signed by the Speaker at 9:30 a.m.: SB 292, SB 305, SB 313.

Delivered to the Governor for his approval at 2:04 p.m.: HB 4, HB 28, HB 66, HB 141, HB 261, HB 263, HB 386, HB 430, HB 483, HB 487, HB 493, HB 532, HB 533, HB 645, HB 769.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

3/27/87

HB 889, introduced bill, be amended as follows:

1. Page 9.

Following: line 8

Insert: "NEW SECTION. Section 15. Repayment to coal tax trust fund required. The Montana agriculture development council shall repay \$1 million to the coal severance tax trust fund, without computation of interest, within 20 years after the effective date of this act."

Renumber: subsequent sections

Committee attached the following statement of intent:

Statement of Intent
HB 889

A statement of intent is required for this bill because it directs the Montana agriculture development council created by the bill to adopt administrative rules to implement and administer the various agricultural investment and market enhancement programs established by the bill.

The breadth and complexity of these programs necessitate that the council have broad latitude in developing criteria, requirements, and procedures for carrying out this mandate. The legislature contemplates, however, that the council would, among other things:

- (1) establish procedures for the conduct of council business;
- (2) provide for agricultural investments that will:
- (a) stimulate applied agricultural research and product development;
- (b) transfer new technology and provide technical assistance to business and industry; and
- (c) furnish "seed" funds which provide leverage for the investment of private capital in new agricultural enterprises;
- (3) provide for the protection of the confidentiality of trade secrets and business and financial information relating to applicants for investments;
- (4) establish eligibility and selection criteria for agricultural investments;
- (5) establish matching funding requirements for various types of investments; and
- (6) provide for the enhancement and development of both foreign and domestic markets for current and new agricultural products.

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 10, statement of intent attached, do not pass.

SB 142, introduced bill, as amended, be not concurred in.

APPROPRIATIONS (Donaldson, Chairman):

3/26/87

HB 2, introduced bill, be amended as follows:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Title. This act may be cited as "The General Appropriations Act of 1987".

Section 2. Definitions. For the purposes of this act, unless otherwise stated, the following definitions apply:

(1) "Agency" means each state office, department, division, board, commission, council, committee, institution, university unit, or other entity or instrumentality of the executive branch, office of the judicial branch, or office of the legislative branch of state government.

(2) "Approving authority" means the governor or his designated representative for executive branch agencies; the chief justice of the supreme court for judicial branch agencies; appropriate legislative committees for legislative branch agencies; or the board of regents or its designated representative for the university system.

(3) "University system unit" means the board of regents, office of the commissioner of higher education, university of Montana at Missoula, Montana state university at Bozeman, Montana college of mineral science and technology at Butte, eastern Montana college at Billings, northern Montana college at Havre, western Montana college at Dillon, the agricultural experiment station with central offices at Bozeman, the cooperative

extension service with central offices at Bozeman, the forestry and conservation experiment station with central offices at Missoula, or the bureau of mines and geology with central offices at Butte.

Section 3. Other funds to offset general fund. The approving authority shall decrease the general fund appropriation of the agency by the amount of funds received from other sources in excess of the appropriation provided in this act unless such action is expressly contrary to state or federal law, rule, or contract or unless the approving authority certifies that the services to be funded by the additional funds are significantly different from those for which the agency has received a general fund appropriation.

Section 4. Expenditure limit. Expenditures may not exceed appropriations.

Section 5. Budget requests. (1) Sufficient funds are appropriated in this act to enable each agency to submit its 1991 biennial budget request to the budget director and the legislative fiscal analyst pursuant to the time schedule established in 17-7-112(1). If any agency fails to submit its final, complete budget request by the deadlines established in 17-7-112(1), the expenditure authority granted in this act must be reduced or rescinded by the budget director unless the agency director certifies that an emergency situation has precluded a timely budget presentation and the budget director approves an extension of the deadlines, not to exceed 30 days.

(2) Employees added through the appropriation of federal or state special revenues or proprietary funds in this act may not be included in the current level budget presented to the 1989 legislature if their continued employment requires general fund support.

Section 6. Detailed budget information. Within 2 days after submission of the preliminary executive budget to the legislative fiscal analyst, the budget director shall give the legislative fiscal analyst the preliminary expenditure recommendations by object of expenditure to the second level of detail and by funding source detailed by accounting entity. Within 1 day after the legislative finance committee presents the budget analysis to the 51st legislature, the budget director and the legislative fiscal analyst shall mutually exchange expenditure recommendations by object of expenditure to the second level of detail and by funding sources detailed by accounting entity. This final information must be filed in the respective offices and available to members of the legislature and the general public.

Section 7. Operating budget. (1) Expenditures by a state agency must be made in substantial compliance with an operating budget approved by an approving authority as defined in 17-7-401. Substantial compliance means that no category in the approved operating budget may be exceeded by more than 5%. Appropriations are contingent upon approval of the operating budget by August 1 of each fiscal year. An approved original operating budget must comply with legislative intent as expressed in state law and legislative statements of intent. Legislative intent for the general appropriations act includes a formally adopted narrative that accompanies the act.

(2) Each operating budget must include expenditures for each agency program, detailed at least by the categories of personal services, operating expenses, equipment, benefits and claims, grants, transfers, and local assistance. Each agency shall record its operating budget and any approved changes on the statewide budget and accounting system. Forms used for changing an operating budget must reference the current fully completed and approved operating budget, show the proposed changes to the operating budget, and reference any other pending documents to change the operating budget.

Section 8. Program transfers. Unless prohibited by this act or by statute, the approving authority may approve agency requests to transfer appropriations between programs within each fund type within each fiscal year. The transfer amount may not exceed 5% of the total agency appropriation. All program transfers must be completed within the same fund from where the transfer originated. A request for a transfer accompanied by a justification explaining the reason for the transfer must be submitted by the requesting agency to the approving authority and the legislative fiscal analyst. Upon approval of the transfer, the approving authority shall inform the fiscal analyst of the approved transfer and the justification for the transfer.

Section 9. Reduction of appropriation. In the event of a shortfall in revenue, the governor may reduce any or all appropriations. No appropriation may be reduced by more than 15%. The following appropriations may not be reduced:

- (1) payment of interest and retirement of state debt;
- (2) the legislative branch;
- (3) the judicial branch;
- (4) school foundation program, including special education; or
- (5) salaries of elected officials during their terms of office.

Section 10. Access to records of contracting entities. (1) Unless a contract made with a nonstate entity complies with subsection (2), no money appropriated by this act may be expended for such contract. Such contract to provide a service to members of the public on behalf of the state may be either written or oral.

(2) A contract described in subsection (1) must contain a provision to allow access, for legislative audit and fiscal analysis, to the records of the contracting nonstate entity sufficient to determine whether the parties to the contract have complied with the terms of the contract. Such an audit and fiscal analysis require access to records necessary to carry out the legislative audit and analysis functions set out in Title 5, chapters 12 and 13.

(3) The state may unilaterally terminate any contract upon refusal by the contracting nonstate entity to allow access to its records necessary to carry out such a legislative audit or analysis.

Section 11. Coal tax trust income. Interest income from the coal tax constitutional trust fund established under Article IX, section 5, of the Montana constitution is hereby appropriated to the general fund for use during the biennium ending June 30, 1989. The portion of the general fund that represents this appropriation is appropriated to the department of commerce, the vocational-technical centers, and the university system.

Section 12. Severability. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision does not affect the validity of the remaining portions of this act.

Section 13. Audit costs. Amounts appropriated for audits may be transferred between fiscal years. Agencies shall reserve enough cash in each fund

to pay for audit costs and shall to the maximum extent allowable under federal regulations charge audit costs to federal funds.

Section 14. Totals not appropriations. The totals shown in this act are for informational purposes only and are not appropriations.

Section 15. Appropriations. The following money is appropriated for the respective fiscal years:

A. GENERAL GOVERNMENT AND HIGHWAYS

	Fiscal 1988				Fiscal 1989					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
LEGISLATIVE AUDITOR										
1. Operations										
	1,111,141	936,807			2,047,948	1,102,793	924,794			2,027,587
2. Lottery Audit										
	74,256				74,256		53,456			53,456

Total										
	1,111,141	1,011,063			2,122,204	1,102,793	978,250			2,081,043
Except for issuers of general obligation bonds that are payable solely by general fund revenues, each state bond issuer shall, upon issuance of the bonds, pay 30 cents per thousand of bonds, to be deposited in the state general fund for the purpose of funding a portion of the comprehensive annual financial report audit.										
LEGISLATIVE FISCAL ANALYST										
1. Operations										
	723,820				723,820	794,956				794,956
2. Consultants										
	20,000				20,000					

Total										
	743,820				743,820	794,956				794,956
Item 2 is a biennial appropriation.										
LEGISLATIVE COUNCIL										
1. Operations										
	1,574,430				1,574,430	1,940,593				1,940,593
2. Montana Code Annotated										
a. Operations										
	775,391				775,391					
b. Transfer to General Fund										
	200,000				200,000					
3. NCSL Dues										
	22,561				22,561	23,861				23,861
4. CSG Dues										
	20,150				20,150	20,750				20,750
5. NCSL and CSG Travel										
	37,500				37,500					
6. Interim Studies										
	20,000				20,000					
7. Forestry Task Force										
	8,000				8,000					
8. Revenue Oversight Committee										
	35,000				35,000					
9. Administrative Code Committee										
	14,000				14,000					
10. Capitol Building and Planning										
	5,000				5,000					
11. Five-State Biennial Conference										
	4,100				4,100					
12. Statewide Issues										
	20,000				20,000					
13. Coal Tax Subcommittee										
	12,000				12,000					
14. Montana-Western Canadian Provinces Boundary Advisory Committee										
	2,000				2,000					

Total										
	1,762,741	987,391			2,750,132	1,985,204				1,985,204

General Fund	Fiscal 1988			Total	General Fund	Fiscal 1989			Total
	State Special Revenue	Federal Special Revenue	Proprietary			State Special Revenue	Federal Special Revenue	Proprietary	

Items 2a and 5 through 14 are biennial appropriations.

Item 2b is to be transferred to the general fund.

CONSUMER COUNSEL

1. Operations	745,716			745,716		744,336			744,336
2. Contract Services	100,000			100,000		100,000			100,000
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Total	845,716			845,716		844,336			844,336

Item 2 is for expert witness fees for unanticipated cases.

ENVIRONMENTAL QUALITY COUNCIL

1. EQC Program	245,347			245,347	241,331				241,331
2. Water Policy Committee	126,200			126,200					
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Total	245,347	126,200		371,547	241,331				241,331

Item 2 is a biennial appropriation.

The water policy committee of the legislature created in 85-2-105 shall contract with a qualified consultant or consultants who have no conflict of interest in the water adjudication process to review, analyze, and comment on the process and the results of the process, including but not limited to the various functions carried out by the department of natural resources and conservation, the practice and procedures being implemented by the water judges, and the need for legislative changes, if any.

JUDICIARY

1. Supreme Court Operations									
a. Operations	1,314,812			1,314,812	1,311,767				1,311,767
b. Audit	15,466			15,466					
2. Boards and Commissions	181,719			181,719	181,623				181,623
3. Law Library	511,307	18,075	40,963	570,345	502,114	18,075			520,189
4. District Court Operations	2,239,909			2,239,909	2,246,199				2,246,199
5. Water Courts	469,581			469,581		469,664			469,664
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Total	4,263,213	487,656	40,963	4,791,832	4,241,703	487,739			4,729,442

GOVERNOR'S OFFICE

1. Executive Office Program									
a. Operations	911,841	90,000	121,613	1,123,454	910,838	90,000	121,619		1,122,457
b. Audit	12,889			12,889					
c. Contingency Funds	25,000			25,000					
d. Uniform State Laws Commission	4,000			4,000	4,000				4,000
2. Mansion Maintenance	60,639			60,639	61,602				61,602
3. Air Transportation	101,502			101,502	104,389				104,389
4. Office of Budget and Program Planning									
a. Operations	653,373			653,373	708,984				708,984
b. Audit	18,044			18,044					
5. Pacific Northwest Electric Power and Conservation Planning Council		317,038		317,038			317,155		317,155
6. Lieutenant Governor	201,238			201,238	201,244				201,244
7. Citizens' Advocate Office	47,627			47,627	47,570				47,570
8. Board of Visitors	129,279			129,279	129,284				129,284

	Fiscal 1988					Fiscal 1989				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary		Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary
9. Montana Statehood Centennial Office		1,500,000			1,500,000		1,500,000			1,500,000
Total	2,165,432	1,590,000	438,651		4,194,083	2,167,911	1,590,000	438,774		4,196,685

Any amount remaining in the proprietary fund account in the office of budget and program planning at fiscal year end 1987 collected for the payment of the statewide audit must be transferred to the general fund to partially fund the statewide audit in the legislative auditor's office in the 1989 biennium.

Item 1c is a biennial appropriation.

Item 1d is for membership dues to the uniform state laws commission.

The office of budget and program planning may establish transfer appropriations for vocational-technical centers and university units within the appropriate agency distribution program. This provision is to allow compliance with proper accounting of current unrestricted operations using the CUBA fund structure at individual units of education.

SECRETARY OF STATE

1. Records Management										
a. Operations		699,484	227,603		927,087	709,775	224,292			934,067
b. Audit		8,900			8,900					
2. Administrative Code										
a. Operations		190,850			190,850		153,095			153,095
b. Audit		2,700			2,700					
Total	708,384	421,153			1,129,537	709,775	377,387			1,087,162

If _____ Bill _____ [LC 1844] does not pass, the general fund appropriation in item 2a is increased \$30,600 in fiscal 1988 and in fiscal 1989.

COMMISSIONER OF POLITICAL PRACTICES

1. Administration										
	100,249	800			101,049	100,063	4,800			104,863
2. Audit		2,062			2,062					
Total	102,311	800			103,111	100,063	4,800			104,863

The commissioner of political practices is to charge a fee for the Summary of Contributions/Expenditures for Candidates/Committees booklet that is sufficient to recover the costs of printing and distribution of the booklet. Public libraries are exempt from the charge for the books. The proceeds from the sale of the booklet as well as the expenditures for the printing and distribution of the booklet must be accounted for in the state special revenue account already established for the purpose of collecting fees for reimbursement of copier charges. The amount appropriated for the cost of the booklet is \$4,000 in fiscal 1989 only.

STATE AUDITOR

1. Central Management Division										
a. Operations		256,271			256,271	256,039				256,039
b. Audit		2,832			2,832					
2. Audit Division										
a. Operations		563,930	421,841		985,771	546,115	430,584			976,699
b. Audit		24,119	19,333		43,452					
c. Warrant Writing System Replacement		199,250			199,250					
3. Insurance Division										
a. Operations		716,740			716,740		714,064			714,064
b. Audit		8,107			8,107					
c. Added Personnel for Insurance Regulation		116,127			116,127		112,442			112,442
4. Securities Division										
a. Operations		273,759			273,759		268,514			268,514
b. Audit		2,835			2,835					

Fiscal 1988					Fiscal 1989				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
Total	1,046,402	1,558,742		2,605,144	802,154	1,525,604			2,327,758
Item 2c is a biennial appropriation.									
Item 3c may be expended only if House Bill 372 passes.									
DEPARTMENT OF JUSTICE									
1. Legal Services									
a. Operations									
769,153	22,035			791,188	765,685	21,890			787,575
b. Case-Related Travel									
9,500				9,500	9,500				9,500
2. Indian Legal Jurisdiction									
a. Operations									
65,579				65,579	65,657				65,657
b. Legal Fees and Expert Witness									
100,000				100,000					
3. County Prosecutor Services									
135,181				135,181	135,334				135,334
4. MONTCLIRC									
72,925	18,230			91,155	72,925	18,230			91,155
5. Agency Legal Services									
			492,562	492,562				493,454	493,454
6. Driver Licensing Program									
1,862,585	380,693	15,000		2,258,278	1,850,876	377,701	15,000		2,243,577
7. Highway Patrol									
a. Uniformed									
8,772,307		191,500		8,963,807		8,871,472	191,500		9,062,972
b. Nonuniformed									
305,803				305,803		305,561			305,561
c. Cadets									
81,851				81,851		81,734			81,734
d. MCSAP									
		503,844		503,844			452,344		452,344
e. Communications Bureau									
484,367				484,367		483,702			483,702
8. Vehicle Registration									
a. Operations									
1,905,923				1,905,923		1,893,572			1,893,572
b. Renewal Notices									
88,000				88,000		88,000			88,000
9. Law Enforcement Services Administration									
78,662				78,662	77,884				77,884
10. County Attorney Payroll									
924,317				924,317	937,463				937,463
11. Law Enforcement Academy									
a. Operations									
622,291				622,291		628,272			628,272
b. Training Handguns									
3,500				3,500					
c. Additional Basic Course									
						15,984			15,984
12. Fire Marshal									
318,327				318,327	319,335				319,335
13. Identification Program									
236,734				236,734	233,088				233,088
14. Criminal Investigators									
180,805		116,616		297,421	165,527		102,348		267,875
15. Criminal Investigation — Coal Board									
145,864		649,832		795,696		129,136	680,044		809,180
16. Central Services									
a. Operations									
343,981	11,826			355,807	344,299	11,826			356,125
b. Audit									
7,983	21,777	1,597	578	31,935					
17. Data Processing Program									
316,460	575,391			891,851	316,060	572,443			888,503
18. Extradition and Transfer of Prisoners									
147,321				147,321	147,337				147,337
19. Forensic Science Division									
a. Operations									
231,462	546,337			777,799	629,368	143,232			772,600
b. Equipment — Chromatographs/Fume Hoods									
	38,000			38,000					
Total									
5,800,975	14,024,195	1,478,389	493,140	21,796,699	6,070,338	13,642,755	1,441,236	493,454	21,647,783

Fiscal 1988					Fiscal 1989				
General	State	Federal			General	State	Federal		
Fund	Special	Special	Proprietary	Total	Fund	Special	Special	Proprietary	Total
	Revenue	Revenue				Revenue	Revenue		

Items 2b, 11b, 16b, and 19b are biennial appropriations.

Item 7e is to operate the regional dispatch centers. The department of justice shall develop a cost allocation plan for the purpose of recovering the operational cost of regional dispatch centers from all user agencies on an equitable basis and shall submit the funding plan to the 51st legislature within the department's 1991 biennium budget request. It is the intent that after fiscal 1989 the state special highway revenue account be reimbursed for services provided to user agencies that are not funded by the state special highway revenue account.

If House Bill 492 and/or any other bill that adds revenue to the motor vehicle state special revenue account that is not specifically appropriated for another purpose becomes law, the increased revenue must cause a general fund reversion in items 17 and 19, replaced by motor vehicle state special revenue, except that a \$125,000 motor vehicle account fund balance may be maintained.

The department shall negotiate to purchase the modular buildings occupied by the law enforcement academy and use funds appropriated in item 11.

Item 11c may be expended only if House Bill 492 passes.

The department shall seek all possible alternatives in the state to lower the cost of building space for the forensic science division by the end of the 1989 biennium.

HIGHWAY TRAFFIC SAFETY

1. Operations	70,818	1,104,550	1,175,368	72,000	1,103,942	1,175,942
2. Audit	1,182	1,182	2,364			
Total	72,000	1,105,732	1,177,732	72,000	1,103,942	1,175,942

BOARD OF CRIME CONTROL

STATE OF NEW YORK								
DEPARTMENT OF CORRECTIONS								
FISCAL YEAR 2019								
BUDGET BY FUND, PROGRAM AND PROJECT								
FUND 1 - GENERAL								
PROGRAM 1 - OPERATIONS								
PROJECT 1 - OPERATIONS								
1. Operations	437,791	77,550	146,065	661,406	436,834	75,354	152,136	664,324
2. Audit	7,951		1,571	9,522				
3. Juvenile Justice Pass-Through Grants			142,500	142,500			142,500	142,500
4. Bureau of Justice Assistance Pass-Through Grants			396,000	396,000			396,000	396,000
5. Victims' Assistance Pass-Through Grants			224,000	224,000			224,000	224,000
6. Drug Enforcement/Education Pass-Through Grants			1,150,463	1,150,463			1,182,015	1,182,015
7. Crime Victims' Compensation	380,245	129,000		509,245		380,582	136,000	516,582
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Total	445,742	457,795	2,189,599	3,093,136	436,834	455,936	2,232,651	3,125,421

Items 2 through 6 are biennial appropriations.

All remaining appropriation authority for the 1987 biennium federal pass-through grant authority is authorized to continue into fiscal 1988 and fiscal 1989.

Item 7 may be expended only if House Bill 309 passes.

The board of crime control is to charge tuition and fees for the juvenile training program appropriated in item 1 each year. The tuition and fees collected as well as charges for related expenditures are to be deposited into a state special revenue account.

DEPARTMENT OF REVENUE

[illegible]

	Fiscal 1988				Fiscal 1989					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
	499,750		1,130,102		1,629,852	497,519		1,140,772		1,638,291
d. Video Poker		128,125			128,125		128,288			128,288
5. Income and Miscellaneous Tax Division	3,079,363	82,884			3,162,247	3,156,379	87,884			3,244,263
6. Natural Resources and Corporation Tax Division	1,106,908	57,048	122,128		1,286,084	1,107,619	57,048	122,128		1,286,795
7. Property Assessment Division										
a. Elected Assessors	769,479				769,479	770,886				770,886
b. Appraisers and Nonelected Assessors	7,875,721				7,875,721	7,944,693				7,944,693
c. Property Assessment — Helena										
i. Operations	362,527				362,527	354,058				354,058
ii. Railroad Appraisal	60,000				60,000	60,000				60,000
d. Property Assessment — Administration	551,651				551,651	551,005				551,005
8. Motor Fuels Tax Division	710,785				710,785		708,349			708,349
Total	16,885,964	1,088,298	1,444,152	816,144	20,234,558	16,947,696	1,081,134	1,454,899	789,325	20,273,054

Funds for resource indemnity trust projects approved by the 50th legislature in other state agencies are appropriated for transfer purposes to the extent that these funds are available.

Liquor division proprietary funds necessary to maintain adequate inventories of liquor and wine and to operate the state liquor operation are appropriated. During the 1989 biennium, the division shall attempt to return at least 13% of net sales. Net sales are gross sales less discounts and all taxes collected. The division shall limit operational expenses of the liquor merchandising system to not more than 15% of net sales. Operational expenses may not include product costs, freight charges, or expenses allocable to other divisions or licensing bureau expenses.

The appropriation for the income tax division includes 13 additional FTE. The agency is prohibited from including these 13 FTE in its current level budget request presented to the 1989 legislature.

Item 7cii is an appropriation to deal with legal issues arising under federal nondiscriminatory taxation acts such as the Tax Equity and Fiscal Responsibility Act, the Railroad Revitalization and Regulatory Reform Act, and any subsequent federal legislation that directs the state to take a nondiscriminatory posture in the taxation of entities doing business within the state. This appropriation may be used only for attorney fees, expert witnesses, and extraordinary expenses associated solely with resolving disputes related to such legal issues.

DEPARTMENT OF ADMINISTRATION

1.	Director's Office	254,147	49,076	303,223	255,153	48,689	303,842
2.	Governor-Elect Program				25,000		25,000
3.	Accounting Division						
a.	Operations	800,138		800,138	786,709		786,709
b.	Audit	19,333		19,333			
4.	Architecture and Engineering Division						
a.	Operations	559,040	560,472	1,119,512	562,400	562,400	1,124,800
b.	Audit	1,432		1,432			
5.	Publications and Graphics Division						
a.	Purchasing and Print Coordinator		2,033,844	2,033,844		2,034,093	2,034,093
b.	Operations Program		1,129,984	1,129,984		1,399,877	1,399,877
c.	Administration Program						
i.	Operations		691,682	691,682		712,883	712,883
ii.	Audit		8,907	8,907			
6.	Information Services Division						
a.	Resource Management Administration Program						
i.	Operations		280,637	280,637		281,127	281,127
ii.	Audit		35,449	35,449			
b.	Central Computer Operations Program		5,532,217	5,532,217		5,426,025	5,426,025
c.	Information Center Program		447,458	447,458		447,969	447,969
d.	Systems Development Program						

	Fiscal 1988					Fiscal 1989				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary		Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary
	i.	Operations								
	ii.	Contract Programming	959,913	959,913					960,067	960,067
			100,000	100,000						
e.	Telecommunications									
	i.	Operations								
	ii.	Audit	7,879,201	7,879,201					7,960,693	7,960,693
			15,755	15,755						
f.	911 Emergency Service		76,671	76,671					76,671	76,671
7.	General Services Division									
	a.	Operations								
		353,281	3,115,355	3,468,636	366,033				3,227,877	3,593,910
	b.	Audit	6,722	6,722						
	c.	Security								
		55,043		55,043	54,963					54,963
8.	Purchasing Division									
	a.	Purchasing Bureau								
		403,942		403,942	404,406					404,406
	b.	Property and Supply Bureau								
	i.	Operations	2,872,774	2,872,774					2,873,757	2,873,757
	ii.	Audit	7,418	7,418						
9.	Mail and Management Program									
	a.	Operations	1,127,863	1,127,863					1,226,129	1,226,129
	b.	Audit	2,623	2,623						
10.	Treasury Central Services Division									
	a.	Operations								
		407,776	30,964	438,740	408,266				30,909	439,175
	b.	Audit								
		10,126		10,126						
11.	Board of Investments									
	a.	Operations	851,638	851,638					839,197	839,197
	b.	Audit	77,331	77,331						
	c.	Termination Pay	15,000	15,000						
12.	Tort Claims Division									
	a.	Operations	2,194,094	2,194,094					2,171,525	2,171,525
	b.	Audit	2,663	2,663						
13.	Personnel Division									
	a.	Personnel Program								
		871,753		871,753	872,040					872,040
	b.	Group Benefits Program								
	i.	Operations	255,975	287,505	34,030				254,942	288,972
	ii.	Audit	510	510						
			11,804	11,804					11,804	11,804
	iii.	Genetics								
	c.	Training Program								
	i.	Operations	145,456	180,028	34,544				145,512	180,056
	ii.	Audit	349	349						
14.	Workers' Compensation Court									
	a.	Operations								
		277,864		277,864		277,679				277,679
	b.	Audit								
		842		842						
	c.	Moving Costs								
		8,155		8,155						
	d.	Building Rent								
		19,500		19,500		19,500				19,500
15.	State Tax Appeal Board									
	a.	Operations								
		478,792		478,792	387,995					387,995
	b.	Manual Disparity Issue								
		33,750		33,750						
16.	Public Employees' Retirement Division									
	a.	Operations	732,132	732,132					713,064	713,064

General Fund	Fiscal 1988		Proprietary	Total	General Fund	Fiscal 1989		Proprietary	Total
	State Special Revenue	Federal Special Revenue				State Special Revenue	Federal Special Revenue		
b. Audit			32,221	32,221					
17. Teachers' Retirement System									
a. Operations			402,400	402,400				397,093	397,093
b. Audit			19,333	19,333					
Total	3,754,183	866,833	31,705,891	36,326,907	3,629,139	859,579		31,802,303	36,291,021

The appropriation in item 4a in the proprietary column is appropriated from the capital projects fund.

Item 6dii is a biennial appropriation for contract programming.

The appropriation in item 7a in the proprietary column includes \$58,801 in fiscal 1988 and \$58,801 in fiscal 1989 from the capital projects fund.

Item 11c is termination pay for the current Chief Investment Officer in fiscal 1988.

Item 13biii is the state's contribution for the voluntary statewide genetics program.

Items 14c and 14d are for moving costs and building rent if the court is forced to move from its present location.

The amounts listed in items 16 and 17 are appropriated from the pension trust fund.

In item 7, the department may charge a maximum of \$2.97 per square foot in fiscal 1988 and \$3.08 per square foot in fiscal 1989. At the end of fiscal 1989, the maximum working capital the department may carry over is \$320,000.

The department may expend available self-insurance reserves and revenues to pay any deficit that may be incurred for property or liability insurance premiums due and payable through June 30, 1989.

Item 15b is a biennial appropriation to be used only for state tax appeal board expenses directly related to settlement of the "34 percent" or manual disparity issue.

DEPARTMENT OF HIGHWAYS

1. Construction	58,742,869	85,241,460	143,984,329	61,094,015	86,791,294	147,885,309
2. General Operations						
a. Operations	5,321,330	1,606,694	6,928,024	5,208,734	1,555,856	6,764,590
b. Audit	61,865		61,865			
3. Preconstruction	5,459,612	8,838,599	14,298,211	4,357,716	6,953,804	11,311,520
4. Service Revolving			2,903,023			2,882,715
5. Maintenance	40,613,889		40,613,889	40,865,147		40,865,147
6. Equipment	1,930,659	12,807,396	14,738,055	1,705,659	12,881,144	14,586,803
7. Motor Pool		787,608	787,608			701,709
8. Stores Inventory	13,602,298		13,602,298	13,672,810		13,672,810
9. Gross Vehicle Weight Division	3,497,307		3,497,307	3,503,362		3,503,362
Total	129,229,829	95,686,753	16,498,027	241,414,609	130,407,443	95,300,954
					16,465,568	242,173,965

In the event additional federal highway funds become available, additional spending authority and additional FTE may be requested through budget amendment.

Funding may be transferred among all programs, including stores inventory, to reflect personal services expenditures.

The department is appropriated \$15,023,916 in fiscal 1988 and \$26,476,461 in fiscal 1989 for a cash transfer from the highway state special revenue accounts to the highway reconstruction trust account.

The department of highways is directed to submit to the 1989 legislature a construction work plan for the 1991 biennium that is detailed by year and project. This work plan must specify, by road system or project area, proposed projects on which \$1 million or more would be spent during the 1991 biennium and an aggregate cost for projects with anticipated expenditures of less than \$1 million. Costs must be detailed by year and project.

The legislature anticipates that the equipment program will receive, by budget amendment, spending authority from the proprietary fund account if gasoline costs exceed \$1,519,802 in fiscal 1988 and \$1,571,409 in fiscal 1989 due to increases in gasoline prices greater than a 1% increase per gallon from fiscal 1986 to fiscal 1988 and a 4.4% increase per gallon from fiscal 1986 to fiscal 1989.

The legislature anticipates that the motor pool will receive, by budget amendment, spending authority from the proprietary fund account if gasoline costs exceed \$131,684 in fiscal 1988 and \$136,169 in fiscal 1989 due to increases in gasoline prices greater than a 1% increase per gallon from fiscal 1986 to fiscal 1988 and a 4.4% increase per gallon from fiscal 1986 to fiscal 1989.

The department may adjust appropriations in the construction and preconstruction programs between fiscal years and funding sources to reflect actual expenditures related to the projected work plan.

The internal service program may request a budget amendment for \$210,000 in fiscal 1988 or fiscal 1989 to overhaul the department's airplane.

The legislature anticipates that the maintenance division will receive, by budget amendment for each fiscal year of the 1989 biennium, spending authority for any funds in excess of \$292,840 in each fiscal year that it collects from damage situations.

	Fiscal 1988					Fiscal 1989				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary		Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary
DEPARTMENT OF MILITARY AFFAIRS										
1. Administration Program										
a. Operations										
166,816										
10,101										
176,917										
170,627										
10,145										
180,772										
b. Audit										
4,511										
4,511										
2. Army National Guard										
848,274										
883,124										
1,731,398										
868,498										
895,004										
1,763,502										
3. Air National Guard										
119,185										
1,173,214										
1,292,399										
125,671										
1,204,677										
1,330,348										
4. Veterans' Affairs										
a. Operations										
449,104										
30,000										
479,104										
445,638										
30,000										
475,638										
b. Audit										
4,511										
4,511										
5. Disaster Coordination										
a. Operations										
219,055										
239,438										
458,493										
219,001										
239,383										
458,384										
b. Audit										
3,265										
3,265										
6,530										
6. Emergency Management										
a. Operations										
268,198										
268,198										
268,134										
268,134										
2,492										
2,492										
7. Local Civil Defense Reimbursement										
2,000,000										
2,000,000										
2,000,000										
2,000,000										
Total										
1,814,721										
4,609,832										
6,424,553										
1,829,435										
4,647,343										
6,476,778										

TOTAL SECTION A									
40,850,376	152,767,671	106,994,071	49,513,202	350,125,320	41,059,332	152,326,963	106,619,799	49,550,650	349,556,744

B. HUMAN SERVICES

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES									
1. Director's Division									
336,017		93,809		429,826	335,757			82,725	418,482
2. Centralized Services Division									
a. Operations									
790,781	514,243	549,702		1,854,726	776,763	495,601	569,281		1,841,645
b. Audit									
23,421		20,400		43,821					
c. Chemistry Lab Equipment									
83,300				83,300					
d. Microbiology Lab Equipment									
57,500				57,500					
e. Contingency Fund									
50,000				50,000					
3. Environmental Sciences									
a. Operations									
793,173	328,236	663,823		1,785,232	791,887	329,261	664,102		1,785,250
b. Environmental Protection Fund									
100,000				100,000					
4. Solid and Hazardous Waste Management									
a. Operations									
75,734	1,220,360	6,102,261		7,398,355	76,181	1,212,055	7,261,758		8,549,994
b. Pre-CERCLA and Emergency Hazardous Waste									
60,000				60,000					
5. Water Quality									
a. Operations									
394,988	96,620	1,368,386		1,859,994	394,158	100,320	1,350,658		1,845,136
b. Wellhead Protection									
66,667		200,000		266,667	66,667		200,000		266,667
6. Health Services and Medical Facilities Division									
353,823	47,019	202,081		602,923	353,775	47,025	202,008		602,808
7. Family/Maternal and Child Health									
30,635		11,726,980		11,757,615	31,013		11,998,964		12,029,977
8. Preventive Health									
223,645		827,624		1,051,269	223,707		812,776		1,036,483
9. Licensing and Certification									
368,558		514,618		883,176	367,630		513,418		881,048
10. Health Planning									
176,106				176,106	170,483				170,483

Total

General Fund	Fiscal 1988		Proprietary	Total	General Fund	Fiscal 1989		Proprietary	Total
	State Special Revenue	Federal Special Revenue				State Special Revenue	Federal Special Revenue		
3,633,548	2,557,278	22,269,684		28,460,510	3,588,021	2,184,262	23,655,690		29,427,973

The total appropriation for the department includes \$1,897,421 in fiscal 1988 and \$1,897,421 in fiscal 1989 from the maternal and child health block grant. To the extent revenues from the grant exceed these amounts, they must be distributed to the counties at the discretion of the director of the department, based upon identifiable needs. To the extent revenues from the grant are less than these amounts, distributions to the counties must be reduced.

The total appropriation for the department includes \$632,187 in fiscal 1988 and \$632,187 in fiscal 1989 from the preventive health block grant. To the extent revenues from the grant exceed these amounts, they must be distributed at the discretion of the director of the department of health based upon identifiable needs. To the extent revenues from the grant are less than these amounts, the director of the department of health shall make program reductions.

If federal revenues exceed the amounts budgeted, the department may submit a budget amendment to include additional federal spending authority unless specifically prohibited by legislative action.

State and federal funds appropriated in items 2 through 9 include internal transfers of indirect charges. The amount of indirect charges collected for internal use by the department in excess of \$390,000 in fiscal 1988 and \$390,000 in fiscal 1989 for current programs must cause a like reversion to the general fund.

Item 2a includes \$99,012 in fiscal 1988 and \$77,231 in fiscal 1989 of vital statistics income. To the extent revenues exceed these amounts, it must cause a like reversion to the general fund. To the extent the vital statistics fund balance exceeds \$10,000 at fiscal year ends 1988 and 1989, it must cause a like reversion to the general fund.

Item 2e is for supplies and materials and communications costs in excess of \$99,258 in fiscal 1988 and \$100,974 in fiscal 1989 in the microbiology and chemistry laboratories caused by additional reimbursable services.

General fund appropriated in item 9 is for operations of the licensing and certification bureau only. The department may transfer general fund into the licensing and certification bureau. No general fund may be transferred out of the licensing and certification bureau unless the governor requests general fund reductions of all state agencies.

Items 2c, 2d, 2e, 3b, and 4b are biennial appropriations.

DEPARTMENT OF LABOR AND INDUSTRY

1. Employment Services Division

a. Job Services

	11,230,843		11,230,843			11,312,466		11,312,466
b. Unemployment Insurance	3,514,806		3,514,806			3,489,603		3,489,603
c. Centralized Services							2,381,443	2,381,443
d. Audit			58,946	58,946				
e. Job Training Partnership Act	125,000	8,437,483		8,562,483	125,000	8,766,622		8,891,622
f. Employment Relations	627,866	4,000	1,102,668	3,500	1,738,034	629,239	4,000	1,724,761
g. Employment Policy	19,567	2,196,231		2,215,798		2,187,232		2,187,232
h. Human Rights	216,283	96,000		312,283	213,663		96,000	309,663
i. Commissioner's Office			156,408	156,408			156,599	156,599
j. General Assistance	1,428,099			1,428,099	1,428,099			1,428,099
k. AFDC Day Care	90,909			90,909	109,091			109,091

Total	2,507,724	4,000	26,578,031	2,622,855	31,712,610	2,505,092	4,000	26,939,945	2,541,542	31,990,579
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2. Workers' Compensation

a. Administration

	1,561,100	33,100		1,594,200		1,856,180	33,069		1,889,249
b. Audit	41,585			41,585					
c. Legal Secretary	17,541			17,541		17,518			17,518
d. State Insurance Fund	3,604,890			3,604,890		3,669,794			3,669,794
e. Additional FTE	339,300			339,300		285,202			285,202
f. Insurance Compliance	81,443	1,659,786		1,741,229	76,429	1,603,333			1,679,762
g. Safety	796,127	91,349		887,476		798,431	91,807		890,238

Total	81,443	8,020,329	124,449	8,226,221	76,429	8,230,458	124,876		8,431,763
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Fiscal 1988					Fiscal 1989				
General	State	Federal			General	State	Federal		
Fund	Special	Special	Proprietary	Total	Fund	Special	Special	Proprietary	Total
	Revenue	Revenue				Revenue	Revenue		

Item 1a includes federal spending authority for current level operations of all existing job service offices. If federal funds are less than these amounts, the department may seek a budget amendment to supplement federal funds with state unemployment assessments as provided in 39-51-404(4).

Item 2c is for the 1989 biennium only.

The human rights division may ask for a budget amendment of federal funds received for case processing and related travel up to \$9,607 for fiscal 1988 and \$9,593 for fiscal 1989. Any federal funds received for case processing and related travel in excess of \$105,607 in fiscal 1988 and \$105,593 in fiscal 1989 shall cause a like reversion of general fund.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

1. Assistance Payments							
a. Operations							
1,389,735	5,625,446	7,015,181	1,029,446		3,524,512		4,553,958
b. Benefits							
i. Legal Services							
100,000		100,000	100,000				100,000
ii. State General Assistance							
4,319,712		4,319,712	3,691,344				3,691,344
iii. Aid to Families With Dependent Children							
12,106,956	29,326,843	41,433,799	12,188,745		32,409,662		44,598,407
iv. Other Benefits							
305,804	14,135,711	14,441,515	307,361		14,444,518		14,751,879
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Total							
18,222,207	49,088,000	67,310,207	17,316,896		50,378,692		67,695,588
2. Eligibility Determination							
2,235,057	6,149,944	8,385,001	2,234,149		6,147,799		8,381,948
3. Administration and Support							
a. Operations							
1,202,227	1,684,002	2,886,229	1,196,115		1,676,205		2,872,320
b. Legislative Audit							
54,600	69,130	123,730					
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Total							
1,256,827	1,753,132	3,009,959	1,196,115		1,676,205		2,872,320
4. County Administration							
934,967	338,380	1,273,347	918,972		338,604		1,257,576
5. Medical Assistance							
a. Operations							
1,186,090	2,497,422	3,683,512	1,378,316		3,061,857		4,440,173
b. Benefits							
i. State Medical							
6,000,000		6,000,000	6,000,000				6,000,000
ii. Medicaid - Waiver							
899,966	1,994,745	2,894,711	841,782		2,052,929		2,894,711
iii. Medicaid - Institutions							
4,299,820	9,530,415	13,830,235	4,175,138		10,182,283		14,357,421
iv. Medicaid - Nursing Homes							
14,800,705	32,805,295	47,606,000	14,119,794		34,435,206		48,555,000
v. Medicaid - Primary Care							
19,208,341	6,540,607	57,071,728	82,820,676	21,215,471	6,606,013	67,850,746	95,672,230
vi. Other Benefits							
1,183,353	2,608,742	3,792,095	1,281,800		2,734,700		4,016,500
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Total							
47,578,275	6,540,607	106,508,347	160,627,229	49,012,301	6,606,013	120,317,721	175,936,035
6. Audit and Program Compliance							
576,930	703,252	1,280,182	576,982		704,370		1,281,352
7. Vocational Rehabilitation							
a. Operations							
379,528	1,553,031	1,932,559	378,574		1,548,456		1,927,030
b. Benefits							
324,381	965,070	4,474,539	324,381	1,118,170	3,185,088		4,627,639
c. Supported Employment							
	947,080	947,080			845,517		845,517
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Total							
703,909	965,070	5,685,199	7,354,178	702,955	1,118,170	5,579,061	7,400,186
8. Disability Determination							
	2,384,632	2,384,632			2,377,937		2,377,937
9. Visual Services							

	Fiscal 1988				Fiscal 1989					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
a. Operations										
121,523			487,969		609,492	121,401		487,479		608,880
b. Benefits										
153,749			270,518		424,267	153,749		270,518		424,267
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Total										
275,272			758,487		1,033,759	275,150		757,997		1,033,147
10. Developmental Disabilities										
a. Operations										
279,841			917,890		1,197,731	280,458		908,722		1,189,180
b. Benefits										
5,277,964			12,921,903		18,199,867	5,502,908		12,896,869		18,399,777
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Total										
5,557,805			13,839,793		19,397,598	5,783,366		13,805,591		19,588,957
11. DDPAC										
a. Operations										
			203,596		203,596			121,976		121,976
b. Benefits										
			195,000		195,000			195,000		195,000
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Total										
			398,596		398,596			316,976		316,976
TOTAL SRS										
77,341,249	7,505,677	187,607,762		272,454,688	78,016,886	7,724,183	202,400,953			288,142,022

In each fiscal year, 10% of the low income energy block grant must be transferred to the social services block grant. If the transfer is greater than \$1,103,548 in either fiscal year, a like amount of general fund must revert. Ten percent of the low income energy block grant must be used for the weatherization program in each fiscal year.

SRS is directed to implement a pilot percentage of income LIEAP project within the next biennium and report to the 51st legislature the feasibility of adopting such a system statewide.

Except for 5% in fiscal 1988 and 5% in fiscal 1989 that the department may use for administrative expenses, all other funds appropriated for the community services block grant must be allocated to the human resource development councils.

Funds appropriated under item 1bi are for a contract with the Montana legal services corporation to provide legal assistance to all general relief clients seeking eligibility for the federal supplemental security income program and to those current recipients of supplemental security income who have been notified of termination of benefits. The appropriation is intended to reduce the general assistance caseload by a minimum of 320 clients by the end of the 1989 biennium.

Any third-party payments or reimbursement from any source received by the department to offset costs of the foster care program, in excess of \$350,000 in fiscal 1988 or \$350,000 in fiscal 1989, must cause a general fund reversion of an amount equal to the excess payments or reimbursement.

The department may not consider donated or nondepartmental contracted funds obtained by developmental disabilities providers or foster care providers when allocating or contracting state payments for developmental disabilities services or foster care services.

No FTE or spending authority may be transferred out of the eligibility determination program or the disability determination program.

Item 3b is a biennial appropriation.

Transfer of funds may be made among items 1bii, 5bi, 5biv, and 5bv. No funds may be transferred from these items to any other portion of the SRS budget.

The department shall not expend or reduce the amount, scope, or duration of the benefits available to recipients under the medicaid-other program during the 1989 biennium unless Title XIX of the federal Social Security Act is amended to require expansion or reduction of benefits as a condition of the state receiving federal financial participation. This provision does not prohibit the department from amending reimbursement procedures to contain costs, provided there are no reductions in the types of services provided to recipients or increases in the amount paid by recipients under copayment rules.

No funds may be transferred out of item 5biii.

If collections of county mill levy funds from state-assumed counties exceed \$6,540,607 in fiscal 1988 and \$6,606,013 in fiscal 1989, excepting mill levy funds received from any county becoming state assumed after fiscal 1987, there must be a general fund reversion of an amount equal to the excess mill levy revenue.

Funds appropriated under item 11b must be expended for direct services in accordance with recommendations of the developmental disabilities planning and advisory council.

TOTAL SECTION B

83,563,964	18,087,284	236,579,926	2,622,855	340,854,029	84,186,428	18,142,903	253,121,464	2,541,542	357,992,337
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Fiscal 1988					Fiscal 1989				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
PUBLIC SERVICE COMMISSION									
1. Operations									
	1,686,876	33,491	15,000	1,735,367	1,679,762		35,134	15,000	1,729,896
2. Audit									
	13,404			13,404					
3. Consultants									
	11,967			11,967					
4. Computer Consultant									
	57,000			57,000					
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Total	1,769,247	33,491	15,000	1,817,738	1,679,762		35,134	15,000	1,729,896

Item 3 is a biennial appropriation.

If the governor exercises the reduction of appropriation authorized in section 9 during the 1989 biennium, item 4 is not to be reduced, but rather the reductions are to be taken from items 1, 2, or 3 of the department's budget.

DEPARTMENT OF LIVESTOCK

1. Central Services										
a. Operations	55,068	346,304			401,372	54,659	344,711			399,370
b. Audit	2,591	14,680			17,271					
2. Diagnostic Laboratory	300,222	371,513			671,735	305,330	378,356			683,686
3. Disease Control	492,868				492,868		491,731			491,731
4. Milk and Egg Program	203,948	20,000			223,948	205,160		20,000		225,160
5. Inspection and Control	2,058,015				2,058,015		2,078,118			2,078,118
6. Beef and Pork Research and Marketing	75,000				75,000			75,000		75,000
7. Predatory Animal Control	267,776				267,776		271,287			271,287
8. Rabies Control	45,113	15,000			60,113	45,113	15,000			60,113
Total	606,942	3,566,156	95,000		4,268,098	610,262	3,579,203	95,000		4,284,465

DEPARTMENT OF AGRICULTURE

1. Centralized Services										
a. Operations	213,022	213,180	50,675	25,917	502,794	219,642	208,591	38,511	25,106	491,850
b. Audit	21,911				21,911					
2. Hail Insurance				160,131	160,131				156,969	156,969
3. Wheat Research and Marketing			1,360,198		1,360,198			1,360,491		1,360,491
4. Environmental Management	613,589	153,544	184,554		951,687	612,823	142,615	243,830		999,268
5. Plant Industry	417,807	495,694	32,023	33,289	978,813	417,755	494,081	33,271	33,490	978,597
6. Agriculture Development Division	102,664	41,594	40,300	71,253	255,811	99,182	41,419	45,300	72,874	258,775
Total	1,368,993	904,012	1,667,750	290,590	4,231,345	1,349,402	886,706	1,721,403	288,439	4,245,950

Within proprietary funds appropriated to the department are revenues received under the provisions of 80-2-221 for hail insurance and 80-2-103 for rural development. Amounts included are:

	Fiscal 1988	Fiscal 1989
Section 80-2-221, MCA	\$ 19,732	\$ 18,347
Section 80-2-103, MCA	160,131	156,969
	6,185	6,759
	71,253	72,874

The general fund loan authorized for the establishment of the beginning farm loan program in House Bill 447 of the 48th legislature is forgiven.

General Fund	Fiscal 1988		Proprietary	Total	General Fund	Fiscal 1989		Proprietary	Total
	State Special Revenue	Federal Special Revenue				State Special Revenue	Federal Special Revenue		
DEPARTMENT OF STATE LANDS									
1. Central Management									
a. Operations									
993,678	157,885	89,282	191,781	1,432,626	996,672	114,559	89,282	190,319	1,390,832
b. Audit									
32,221				32,221					
2. Reclamation									
a. Operations									
85,057	1,033,887	6,932,286		8,051,230	84,177	1,012,474	6,922,728		8,019,379
b. Hard-Rock Reclamation									
100,000				100,000					
3. Land Administration									
571,921				571,921	567,235				567,235
4. Resource Development									
273,185				273,185		293,433			293,433
5. Forestry									
5,245,065	1,245,692	1,713,849		8,204,606	5,210,325	1,259,453	1,654,861		8,124,639
<hr/>									
Total									
6,927,942	2,810,649	8,735,417	191,781	18,665,789	6,858,409	2,679,919	8,666,871	190,319	18,395,518

Item 2a contains a budget modification for three new hard-rock mining positions. If the number of hard-rock mining applications in May 1988 is less than the number in May 1987, the department shall eliminate one of the modified positions.

Item 2b is a biennial appropriation. The funds appropriated in item 2b may not be used for any research activities.

Item 5 contains \$3,440,190 in fiscal 1988 and \$3,443,679 in fiscal 1989 for pre-fire suppression costs.

DEPARTMENT OF FISH, WILDLIFE, AND PARKS

1. Centralized Services									
a. Operations									
1,787,055	278,235	1,910,736	3,976,026		1,848,982	269,821	2,081,686	4,200,489	
b. Audit									
51,554			51,554						
c. Legislative Contract Authority									
25,000			25,000				25,000		25,000
2. Field Services Division									
a. Operations									
1,847,537	274,267		2,121,804		1,762,237	262,326		2,024,563	
b. Legislative Contract Authority									
45,000			45,000				45,000		45,000
c. Kalispell Regional Headquarters Rent									
72,000			72,000						
3. Fisheries									
a. Operations									
2,756,308	1,280,267		4,036,575		2,782,335	1,200,844		3,983,179	
b. Legislative Contract Authority									
920,000			920,000				920,000		920,000
4. Law Enforcement									
a. Operations									
3,732,246	16,147		3,748,393		3,710,902	15,842		3,726,744	
b. Legislative Contract Authority									
138,474			138,474				138,790		138,790
5. Wildlife									
a. Operations									
2,658,150	2,256,873		4,915,023		2,604,810	2,256,891		4,861,701	
b. Legislative Contract Authority									
1,165,000			1,165,000				1,165,000		1,165,000
6. Parks Program									
2,947,038	445,000	273,345	3,665,383		2,932,286	445,000	265,469	3,642,755	
7. Conservation Education									
1,079,262	139,525		1,218,787		1,074,042	139,525		1,213,567	
8. Administration									
a. Operations									
731,073	155,834		886,907		783,905	149,049		932,954	
b. Legislative Contract Authority									
25,000			25,000				25,000		25,000
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Total									
17,662,223	7,164,622	2,184,081	27,010,926		17,499,499	7,058,088	2,347,155	26,904,742	

The appropriation for the legislative contract authority in items 1c, 2b, 3b, 4b, 5b, and 8b is subject to the following provisions:

1. Legislative contract authority applies only to federal and private funds.
2. Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.

General Fund	Fiscal 1988		Proprietary	Total	General Fund	Fiscal 1989		Proprietary	Total
	State Special Revenue	Federal Special Revenue				State Special Revenue	Federal Special Revenue		

3. A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include the following:

- a. a description of the additional services provided by each grant of federal or private funds;
- b. an evaluation of the effectiveness of the additional services relating to each grant.

Items 1b and 2c are biennial appropriations.

No funds may be used for lawsuits between state agencies in which the department is a plaintiff unless it has been approved by written consent of the governor.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1. Centralized Services									
a. Operations									
981,687	355,995	210,757		1,548,439	1,013,227	355,806	225,954		1,594,987
b. Audit									
30,933				30,933					
2. Oil and Gas									
a. Operations									
798,478				798,478		818,894			818,894
b. Microfilming	20,000			20,000					
c. Litigation	5,000			5,000					
3. Conservation Districts									
a. Operations	648,332	2,703		651,035		649,833	2,703		652,536
b. Streambank Reclamation	30,000			30,000					
4. Water Resources									
a. Operations	2,349,513	2,214,859	69,675	4,634,047	2,366,003	2,190,331	69,675		4,626,009
b. State Water Projects	800,000			800,000					
c. Middle Creek		4,040,000		4,040,000					
d. Powder River Negotiations		35,500		35,500					
e. Poplar River Monitoring	15,650			15,650	15,650				15,650
5. Energy Division									
a. Operations	438,152	1,274,512	1,056,319	2,768,983	451,118	1,273,399	993,871		2,718,388
b. Lake Broadview Mitigation		40,000		40,000					
c. Rock Creek Mitigation		1,650,000		1,650,000					
d. Chevron Oil Overcharge		15,500		15,500					
Total	3,815,935	6,182,676	7,084,954	17,083,565	3,845,998	5,288,263	1,292,203		10,426,464

Items 2b, 2c, 4b, 4c, 5b, 5c, and 5d are biennial appropriations.

The department is authorized up to \$500,000 from the account established in 76-14-112 for rangeland loans during the 1989 biennium.

Item 3a contains \$220,000 for each year of the biennium for conservation district grants for distribution as specified in 76-15-530. Any funds reverted from unexpended grant funds are authorized for distribution as grants as specified in 76-15-530.

If the department receives notice of funding from the Bonneville power administration for technical assistance or the Montana power company for builder training, such notice is considered an emergency under the provisions of 17-7-403.

Of the funds appropriated in item 4a, not more than \$584,788 for each year of the biennium may be used for adjudication of pre-July 1, 1973, water rights.

If House Bill 621 is not enacted, the general fund appropriation for item 1a is increased by \$68,500 in fiscal 1988 and by \$83,700 in fiscal 1989, and the state special revenue appropriation in item 1a is reduced by corresponding amounts.

DEPARTMENT OF COMMERCE

1. Business Licensing and Regulation - Program Support									
93,059		59,789		152,848		93,059		59,937	152,996

	Fiscal 1988				General Fund	Fiscal 1989				Total
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary		State Special Revenue	Federal Special Revenue	Proprietary	Total	
2. Weights and Measures Bureau										
437,858				437,858	436,178					436,178
3. Financial Division										
790,952				790,952		785,373				785,373
4. Milk Control Bureau										
281,749				281,749		279,598				279,598
5. Professional and Occupational Licensing										
1,717,914			714,478	2,432,392		1,720,174		706,154	2,426,328	
6. Aeronautics Division										
610,884		75,000	62,083	747,967		611,379		62,083	673,462	
7. Transportation Division										
a. Operations										
539,626	71,250	2,753,930		3,364,806	536,444	71,250	1,816,000			2,423,694
b. Rail Assistance										
		501,905		501,905						
8. Business Assistance										
686,692	30,114	581,226		1,298,032	683,219	59,257	639,513			1,381,989
9. Montana Promotion										
4,575,215		350,000		4,925,215		4,672,834	350,000			5,022,834
10. Housing Division										
		10,032,634		10,032,634			10,032,792			10,032,792
11. Hard-Rock Mining Board										
a. Administration										
104,085				104,085		103,633				103,633
b. Hard-Rock Mitigation and Arbitration										
1,026,288				1,026,288		1,211,934				1,211,934
12. Coal Board										
862,668				862,668		148,782				148,782
13. Community Development										
214,748		5,447,656		5,662,404	213,995		5,446,515			5,660,510
14. Local Government Systems										
a. Administration										
86,208			168,716	254,924	86,208			166,857	253,065	
b. Local Government Block Grant										
8,836,000				8,836,000		9,414,000				9,414,000
c. District Court Reimbursement										
2,500,000				2,500,000	2,500,000					2,500,000
d. County Planning										
299,000				299,000		311,000				311,000
15. Local Government Administration										
			98,666	98,666				98,233	98,233	
16. Building Codes										
1,170,240				1,170,240		1,312,662				1,312,662
17. Office of Economic Analysis										
242,347		40,000		282,347	237,410		40,000			277,410
18. Local Government Audit Service										
43,560			984,407	1,027,967	43,546			975,234	1,018,780	
19. Indian Affairs Coordinator										
84,629				84,629	81,208					81,208
20. Health Facility Authority										
a. Operations										
			120,098	120,098				119,161	119,161	
b. Audit										
			3,222	3,222				3,222	3,222	
21. Montana Science and Technology Alliance										
a. Operations										
1,345,000				1,345,000		1,410,000				1,410,000
b. Seed Capital Program Operations										
			72,549	72,549				105,060	105,060	
22. Board of Housing										
			1,068,773	1,068,773				1,066,961	1,066,961	
23. Lottery										
			25,010,000	25,010,000				25,100,000	25,100,000	
24. Board of Horseracing										
240,302				240,302		233,346				233,346
25. Director's Office Management Services										
a. Operations										
121,189			729,035	850,224	117,103			726,724	843,827	
b. Audit										
			67,021	67,021						
Total	4,956,857	22,054,720	19,782,351	29,158,837	75,952,765	4,935,311	22,438,281	18,324,820	29,189,626	74,888,038

Fiscal 1988					Fiscal 1989				
General	State	Federal			General	State	Federal		
Fund	Special	Special	Proprietary	Total	Fund	Special	Special	Proprietary	Total
	Revenue	Revenue				Revenue	Revenue		

The hard-rock mining board shall report to the legislature any expenditures from the hard-rock mitigation and arbitration account.

If the board of milk control receives a petition to establish a state pooling arrangement as a method of paying producer prices, the department may request a budget amendment for additional operating costs for holding hearings and establishing the pool. Receiving of such a petition is considered to be an emergency under the provisions of 17-7-403.

If a computerized adaptive testing program becomes mandatory in fiscal 1989, the board of nursing may request a budget amendment to cover the costs of implementing the program. If computerized adaptive testing becomes mandatory, this is considered an emergency under the provisions of 17-7-403.

The transportation division may request budget amendment authority to add a maximum of three FTE to be funded entirely with federal funds.

Should the economy improve to the point where there is a need for more building standard inspectors, a maximum of three FTE, operating costs, and equipment may be added by budget amendment to the building codes division.

If bonding activity increases in the 1989 biennium, a budget amendment may be requested to cover the additional bonding costs.

The department shall develop a one-stop business licensing proposal that must be submitted to the 1989 legislature.

The board of horseracing may request a budget amendment for the cost of implementing harness racing in Montana. Such a request shall be considered to meet the emergency provisions of 17-7-403.

Under item 21a, the state special revenue appropriation is limited to the revenue received into the alternative energy account, established by 90-4-103, from the coal tax revenue allocated to the account from 15-35-108.

Item 21b shall be expended only if House Bill 700 is passed.

Item 7b is a biennial appropriation.

TOTAL SECTION C

19,445,916	53,180,436	44,563,585	31,840,289	149,030,226	19,279,144	52,371,871	37,193,519	32,030,539	140,875,073
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D. DEPARTMENT OF INSTITUTIONS

CENTRAL OFFICE

1. Director's Office									
376,401				376,401	377,277				377,277
2. Management Services Division									
a. Management Services									
867,437				867,437	821,689				821,689
b. Audit									
132,789	4,171	7,112	5,792	149,864					
3. Alcohol and Drug Abuse Division									
215,200	341,564	1,101,854		1,658,618	215,200	326,700	1,101,854		1,643,754
4. Corrections Division									
a. Central Office									
i. Operations									
3,629,593	1,000			3,630,593	3,640,609	1,000			3,641,609
ii. Equipment				40,000					
40,000									
b. Women's Corrections									
782,476				782,476	788,829				788,829
c. Corrections Medical									
867,114				867,114	883,457				883,457
d. Montana State Prison									
i. Care and Custody — Operations									
12,562,609	51,424	120,641		12,734,674	12,801,624	51,424	94,772		12,947,820
ii. Ranch and Dairy Operations									
			1,228,480	1,228,480				1,277,736	1,277,736
iii. License Plate Factory Operations				484,321		496,117			496,117
484,321									
iv. Industries Operations			678,311	678,311				701,903	701,903
v. Canteen Operations									
600,000				600,000		700,000			700,000
vi. Industries Training Operations									
173,015	36,496	221,579		431,090	163,881		34,330	221,579	419,790
e. Swan River Forest Camp									
i. Operations									
837,854	86,383	38,902		963,139	848,631	86,617	27,898		963,146
ii. Equipment									
8,000				8,000					
5. Mental Health Division									
a. Central Office									
i. Operations									
4,108,977		1,249,805		5,358,782	4,108,940		1,249,806		5,358,746

	Fiscal 1988			Total	General Fund	Fiscal 1989			Total
	General Fund	State Special Revenue	Federal Special Revenue			State Special Revenue	Federal Special Revenue	Proprietary	
b. Montana Developmental Center									
i. Operations									
11,689,951	13,626	42,661		11,746,238	11,852,130	13,626	44,384		11,910,140
ii. Equipment									
50,000				50,000					
c. Center for the Aged									
i. General Operations									
2,637,888	9,735			2,647,623	2,649,528	9,735			2,659,263
ii. Equipment									
25,000				25,000					
d. Eastmont									
i. General Operations									
2,229,779	4,000			2,233,779	2,248,146	4,000			2,252,146
ii. Equipment									
10,000				10,000					
e. Veterans' Home									
i. General Operations									
542,000	20,764	1,636,773		2,199,537	552,504	20,764	1,650,215		2,223,483
f. Montana State Hospital									
i. General Operations									
19,826,836	1,740,583	3,775		21,571,194	20,146,957	1,729,533	3,775		21,880,265

Within item 4, transfers may be made between line items in excess of 5% of the total appropriation authority in each line item upon approval of the governor or his designated representative.

Within item 5, transfers may be made between line items in excess of 5% of the total appropriation authority in each line item upon approval of the governor or his designated representative.

Items 4a ii, 4c, 4e ii, 5b ii, 5c ii, and 5d ii are biennial appropriations.

The department is authorized to maintain a fund balance of not more than \$15,000 at the end of each fiscal year in the prison industries training proprietary account. Any funds in excess of \$15,000 in the proprietary account are subject to the provisions of section 3.

6. Board of Pardons									
160,439				160,439	160,441				160,441
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Total									
160,439				160,439	160,441				160,441

DEPARTMENT OF FAMILY SERVICES

1. Management Support									
a. Operations									
440,890		257,092		697,982	463,954		269,062		733,016
b. Legislative Audit									
25,268		14,732		40,000					
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Total									
466,158		271,824		737,982	463,954		269,062		733,016
2. Social Services									
a. Operations									
6,888,744		2,316,063		9,204,807	6,891,741		2,317,052		9,208,793
b. Benefits									
7,473,511	89,000	7,316,208		14,878,719	7,546,576	89,000	7,343,637		14,979,213
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Total									
14,362,255	89,000	9,632,271		24,083,526	14,438,317	89,000	9,660,689		24,188,006
3. Mountain View School									
a. Operations									
1,730,990	15,982	107,846		1,854,818	1,747,299	14,982	107,950		1,870,231
b. Legislative Audit									
9,240				9,240					
c. Equipment									
3,000				3,000					
<hr/>									
Total									
1,743,230	15,982	107,846		1,867,058	1,747,299	14,982	107,950		1,870,231
4. Pine Hills School									
a. Operations									
2,848,740	59,169	510,722		3,418,631	2,873,834	59,260	510,722		3,443,816
b. Legislative Audit									
12,096				12,096					
c. Equipment									
2,000				2,000					

	Fiscal 1988				Fiscal 1989				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
<hr/>									
Total	2,862,836	59,169	510,722	3,432,727	2,873,834	59,260	510,722		3,443,816
5. Aftercare Services									
a. Operations	399,026	2,800		401,826	399,080		2,800		401,880
b. Equipment	30,000			30,000					
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Total	429,026	2,800		431,826	399,080		2,800		401,880
6. Youth Evaluations									
	146,292			146,292	146,173				146,173
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Total	146,292			146,292	146,173				146,173
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Total	20,009,797	164,151	10,525,463	30,699,411	20,068,657	163,242	10,551,223		30,783,122

Items 3c, 4c, and 5b are biennial appropriations.

MONTANA ARTS COUNCIL

1. Administration										
103,972		396,450		500,422	105,011		401,377			506,388
2. Artists-in-the-Schools										
15,143				15,143	15,143					15,143
3. Audit										
6,200		5,400		11,600						
Total	125,315		401,850	527,165	120,154		401,377			521,531

MONTANA STATE LIBRARY

1. Reference and Information										
534,475	299,000	762,477		1,595,952	520,199	311,000	720,085			1,551,284
2. Audit										
14,177				14,177						
3. Natural Heritage Program										
130,461		6,500		136,961		107,979	22,637			130,616
Total	548,652	429,461	768,977	1,747,090	520,199	418,979	742,722			1,681,900

The amounts included in item 1 in the federal special revenue column represent Library Services and Construction Act funds that may be transferred between fiscal 1988 and 1989.

Amounts in item 3 represent a biennial appropriation.

MONTANA HISTORICAL SOCIETY

1. Administration										
a. Operations										
423,520		59,810		483,330	429,174		59,926			489,100
b. Audit										
14,113				14,113						
2. Library Program										
154,194		26,074		180,268	154,151		16,074			170,225
3. Museum Program										
205,056		165,442		370,498	205,018		131,304			336,322
4. Publications Program										
a. Operations										
41,320			479,352	520,672	41,320				514,316	555,636
b. Audit										
1,160			1,160							
5. Photo Archives										
80,989		22,600		103,589	81,631		17,000			98,631
6. Historical Sites Preservation Program										
a. Operations										
60,862		760,395		821,257	59,498		761,630			821,128
b. Audit										
650		3,410		4,060						
7. Archives Program										
130,949		2,500		133,449	131,186		2,500			133,686

	Fiscal 1988				Fiscal 1989					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
8. Education Program			52,203		52,203			52,140		52,140
Total	1,111,653		1,092,434	480,512	2,684,599	1,101,978		1,040,574	514,316	2,656,868
TOTAL SECTION D	83,568,775	3,951,183	17,026,743	2,614,674	107,161,375	84,070,831	4,021,737	16,942,930	2,715,534	107,751,032

E. OTHER EDUCATION

BOARD OF PUBLIC EDUCATION

1. Board Administration										
a. Operations										
104,834				104,834	104,755					104,755
b. Audit										
2,578				2,578						
Total	107,412			107,412	104,755					104,755
2. Fire Services Training School										
a. Operations										
196,814		2,000	12,000	210,814	199,440		2,000	12,000		213,440
b. Audit										
2,578				2,578						
Total	199,392	2,000	12,000	213,392	199,440		2,000	12,000		213,440
3. Montana School for the Deaf and Blind										
a. Administration										
179,849				179,849	179,838					179,838
b. General Services										
248,725				248,725	259,536					259,536
c. Student Services										
686,096		35,000		721,096	691,805		35,000			726,805
d. Education										
909,039		373,370		1,282,409	907,878		372,926			1,280,804
e. Audit										
18,044				18,044						
Total	2,041,753	408,370		2,450,123	2,039,057		407,926			2,446,983
OFFICE OF PUBLIC INSTRUCTION										
1. Chief State School Officer										
124,190		21,568		145,758	124,062		13,068			137,130
2. Basic Skills										
852,788	237,905	122,514		1,213,207	854,869	237,944	122,651			1,215,464
3. Vocational Education										
274,812		389,077		663,889	274,467		388,881			663,348
4. Administrative Services										
a. Operations										
849,051	437,612	617,759		1,904,422	852,423	437,493	617,920			1,907,836
b. Audit										
38,666				38,666						
5. Special Services										
a. Operations										
131,488		1,332,804		1,464,292	131,388		1,332,392			1,463,780
b. Audiology										
310,200				310,200	310,200					310,200
Total	2,581,195	675,517	2,483,722	5,740,434	2,547,409	675,437	2,474,912			5,697,758

State and federal funds appropriated in items 1 through 5 include internal transfers of indirect costs. The amount of indirect costs in excess of \$408,612 in fiscal 1988 and \$408,493 in fiscal 1989 that is recovered must cause a like reversion to the general fund.

OFFICE OF PUBLIC INSTRUCTION — DISTRIBUTION TO SCHOOLS

1. School Transportation										
6,200,918				6,200,918	6,200,918					6,200,918
2. School Lunch										
594,751				594,751	594,751					594,751

Fiscal 1988					Fiscal 1989				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
3. Gifted and Talented Grants									
	95,000			95,000	95,000				95,000
4. Secondary Vocational Education									
	400,000			400,000	400,000				400,000
5. Adult Basic Education									
	147,523			147,523		147,523			147,523
6. Special Education									
	27,361,646			27,361,646	27,361,646				27,361,646
7. Special Education Contingency									
	500,000			500,000	500,000				500,000
8. State Impact Payments									
	5,000			5,000	5,000				5,000

Total	35,157,315	147,523		35,304,838	35,157,315	147,523			35,304,838

All revenues received in the state traffic education account under the provisions of 20-7-504 are appropriated to be distributed as provided in 20-7-506.

Items 4 and 7 are biennial appropriations.

Item 7, a biennial appropriation, is for emergencies that may arise in special education programs in local districts. A district board of trustees may apply for an allocation from these funds by presenting to the superintendent of public instruction, for each child, a child-study team report and an individual education plan relating to this unforeseen expense and a current listing of program, caseloads, and related costs. The contingency appropriation is for the biennium, and the specific amounts may be transferred between fiscal years.

OFFICE OF PUBLIC INSTRUCTION — DISCRETIONARY GRANTS

1. Job Training Partnership	475,000	475,000	475,000	475,000
2. Vocational Education Grants	3,350,000	3,350,000	3,350,000	3,350,000
3. Adult Basic Education Grants	425,000	425,000	425,000	425,000
4. Education of the Handicapped — Part B	450,000	450,000	400,000	400,000
5. Preschool Incentive Grants	150,000	150,000	110,000	110,000
Total	4,850,000	4,850,000	4,760,000	4,760,000

Items 1 through 5 are biennial appropriations.

	General Fund	Fiscal 1988 Current Unrestricted	Total	General Fund	Fiscal 1989 Current Unrestricted	Total
BILLINGS VOCATIONAL-TECHNICAL CENTER						
1. Instruction	436,545	533,556	970,101	436,545	533,556	970,101
2. Plant Operation and Maintenance	146,541	119,898	266,439	151,359	123,839	275,198
3. Equipment	22,805	22,805	45,610	22,805	22,805	45,610
4. Support						
a. Operations	125,975	260,157	386,132	54,092	332,075	386,167
b. Audit	9,333	10,000	19,333			
Total	741,199	946,416	1,687,615	664,801	1,012,275	1,677,076

Total audit costs are estimated to be \$21,481 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

The current unrestricted funding for equipment in item 3 must come from federal funds.

BUTTE VOCATIONAL-TECHNICAL CENTER

1. Instruction	466,739	335,081	801,820	466,739	335,081	801,820
2. Plant Operation and Maintenance	90,485	74,034	164,519	93,464	76,470	169,934
3. Equipment	21,432	21,432	42,864	21,432	21,432	42,864

	<u>General</u> <u>Fund</u>	<u>Fiscal 1988</u> <u>Current</u> <u>Unrestricted</u>	<u>Total</u>	<u>General</u> <u>Fund</u>	<u>Fiscal 1989</u> <u>Current</u> <u>Unrestricted</u>	<u>Total</u>
4. Support						
a. Operations	212,830	137,425	350,255	166,404	183,881	350,285
b. Audit	9,333	10,000	19,333			
Total	800,819	577,972	1,378,791	748,039	616,864	1,364,903

Total audit costs are estimated to be \$21,481 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

The current unrestricted funding for equipment in item 3 must come from federal funds.

GREAT FALLS VOCATIONAL-TECHNICAL CENTER

1. Instruction	428,870	394,727	823,597	428,870	394,727	823,597
2. Plant Operation and Maintenance	98,030	83,507	181,537	102,197	87,057	189,254
3. Equipment	21,609	21,610	43,219	21,609	21,610	43,219
4. Support						
a. Operations	220,421	156,686	377,107	171,217	205,924	377,141
b. Audit	9,333	10,000	19,333			
Total	778,263	666,530	1,444,793	723,893	709,318	1,433,211

Total audit costs are estimated to be \$21,481 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

The current unrestricted funding for equipment in item 3 must come from federal funds.

HELENA VOCATIONAL-TECHNICAL CENTER

1. Instruction	716,489	586,219	1,302,708	716,489	586,219	1,302,708
2. Plant Operation and Maintenance	172,168	140,864	313,032	176,183	144,150	320,333
3. Equipment	25,518	25,518	51,036	25,518	25,518	51,036
4. Support						
a. Operations	316,347	99,550	415,897	162,758	253,177	415,935
b. Audit	8,259	10,000	18,259			
Total	1,238,781	862,151	2,100,932	1,080,948	1,009,064	2,090,012

Total audit costs are estimated to be \$21,481 for the biennium. Fifteen percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

The current unrestricted funding for equipment in item 3 must come from federal funds.

MISSOULA VOCATIONAL-TECHNICAL CENTER

1. Instruction	552,073	608,090	1,160,163	552,073	608,090	1,160,163
2. Plant Operation and Maintenance	129,477	158,251	287,728	144,150	155,643	299,793
3. Equipment	24,355	24,355	48,710	24,355	24,355	48,710
4. Support						
a. Operations	146,816	274,262	421,078	282,779	138,338	421,117
b. Audit	8,259	10,000	18,259			
Total	860,980	1,074,958	1,935,938	1,003,357	926,426	1,929,783

Total audit costs are estimated to be \$21,481 for the biennium. Fifteen percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

The current unrestricted funding for equipment in item 3 must come from federal funds.

The superintendent of public instruction may transfer county millage collections among centers. Millage received by the centers from the 1.5-mill levy that in the aggregate exceeds \$800,291 in fiscal 1988 and \$808,294 in fiscal 1989 must cause a general fund reversion of a like amount each year. Any voted millage funds available for the vocational-technical centers are appropriated.

If a vocational-technical center can provide matching funds for federal funds in excess of its share of the \$807,474 federal funds included in the current unrestricted funds each fiscal year of the biennium, then the center may request a budget amendment for the matching and federal funds to pay for the additional equipment, training, and programs. The matching funds for any budget amendment may not come from the current unrestricted funds appropriated in the general appropriations bill.

General Fund	Fiscal 1988		Proprietary	Total	General Fund	Fiscal 1989		Proprietary	Total
	State Special Revenue	Federal Special Revenue				State Special Revenue	Federal Special Revenue		
STATE COUNCIL FOR VOCATIONAL EDUCATION									
1. Operations		116,907		116,907			120,000		120,000
2. Audit		3,093		3,093					
Total		120,000		120,000			120,000		120,000
TOTAL SECTION E									
44,507,109	4,951,067	7,864,092	12,000	57,334,268	44,269,014	5,096,907	7,764,838	12,000	57,142,759

NOTE: The total of state special revenues for section E includes the following amounts of current unrestricted funds:

Fiscal 1988 ——— \$4,128,027

Fiscal 1989 ——— \$4,273,947

F. HIGHER EDUCATION

All funds, other than plant funds and current unrestricted operating funds, may be spent and are appropriated contingent upon approval by the board of regents by July 1 of each year of the comprehensive program budget. The budget must contain detailed revenues and expenditures and anticipated fund balances of current funds, loan funds, and endowment funds. All movement of funds between the current unrestricted subfund and the designated subfund account entities must be clearly identified in the state budgeting and accounting system.

Programs for the university budgets include instruction, organized research, public service, academic support, student services, institutional support, operation and maintenance of plant, and scholarships and fellowships.

The six university units shall account for expenditures consistently within programs and funds across all units and shall use the national center for higher education management systems program classification structure along with the college and university business administration (CUBA) system as a minimum standard for achieving consistency.

Each year of the biennium, the portion of indirect cost reimbursements that exceeds the amount set forth in the current unrestricted operating subfund appropriation for each unit is appropriated to the respective unit. All indirect cost reimbursement not expended in the current unrestricted operating subfund account must be clearly identified and separately accounted for during the 1989 biennium. Each university system unit shall submit a written report to the legislative finance committee by October 14, 1988, of the activities supported and accomplishments achieved with all indirect cost reimbursements expended in funds other than the current unrestricted operating subfund for fiscal 1988.

Included within current unrestricted funds to the six institutions is the sum of \$12,864,200 in fiscal 1988 and \$12,906,000 in fiscal 1989 from revenues generated under the provisions of 20-25-423. The department of revenue shall levy the full 6 mills as authorized in 20-25-423. Revenues received by the university system under the provisions of 20-25-423 that exceed \$12,864,200 in fiscal 1988 and \$12,906,000 in fiscal 1989 must cause a general fund reversion of a like amount each year.

BOARD OF REGENTS	27,951	28,008	28,008
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The board of regents shall: (1) by July 1, 1988, develop a uniform computerized personnel system for all agencies under its control, except the community colleges, which: (a) compares the amount expended by position to the amount budgeted for each position; (b) shows the benefits expended; and (c) codes the job assignment(s) of each person; (2) by July 1, 1987, have the university system utilize the statewide budgeting and accounting system in a manner which accurately reflects expenditures at the third level; and (3) by July 1, 1988, develop a uniform computerized class enrollment system.

COMMISSIONER OF HIGHER EDUCATION

1. Office Administration			
a. Operations			
773,253	773,253	774,104	774,104
b. Audit			
13,885	13,885		
2. WICHE Dues			

	Fiscal 1988				Fiscal 1989					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
		59,000			59,000		62,000			62,000
3. WICHE - Student Assistance		1,830,434			1,830,434		1,677,868			1,677,868
4. WAMI	1,665,941	232,677			1,898,618	1,471,629	520,092			1,991,721
5. Minnesota Rural Dentistry	90,400				90,400	69,000				69,000
6. State Student Incentive Grants	210,000		210,000		420,000	210,000		210,000		420,000
7. National Direct Student Loan	55,000				55,000	55,000				55,000
8. State College Work Study	300,450				300,450	300,450				300,450
9. Carl D. Perkins Scholarships		50,000			50,000			50,000		50,000
10. Education for Economic Security		58,000			58,000			58,000		58,000
11. Talent Search										
a. Operations			173,804		173,804			173,617		173,617
b. Audit			550		550					
12. Guaranteed Student Loan										
a. Operations			851,434		851,434			903,808		903,808
b. Audit			2,578		2,578			2,578		2,578
13. University System-Group Insurance				8,449,609	8,449,609				8,865,338	8,865,338
Total	3,108,929	2,122,111	1,346,366	8,449,609	15,027,015	2,880,183	2,259,960	1,398,003	8,865,338	15,403,484

In each fiscal year, the commissioner of higher education is allowed to transfer appropriation authority between the amounts included in the WICHE appropriation for dentistry, which is \$120,534 in fiscal 1988 and \$122,668 in fiscal 1989, and the Minnesota rural dentistry appropriation.

	<u>General</u> <u>Fund</u>	<u>Fiscal 1988</u> <u>Current</u> <u>Unrestricted</u>	<u>Total</u>	<u>General</u> <u>Fund</u>	<u>Fiscal 1989</u> <u>Current</u> <u>Unrestricted</u>	<u>Total</u>
COMMUNITY COLLEGES						
1. Dawson Community College						
a. Operations	709,912		709,912	713,832		713,832
b. Audit	8,820		8,820			
2. Flathead Valley Community College						
a. Operations	1,646,996		1,646,996	1,656,090		1,656,090
b. Audit	8,820		8,820			
3. Miles Community College						
a. Operations	731,209		731,209	735,247		735,247
b. Audit	8,820		8,820			
Total	3,114,577		3,114,577	3,105,169		3,105,169

The above appropriation provides 49% of the total unrestricted budgets for the community colleges, which budgets must be approved by the board of regents.

The general fund appropriation for each community college includes 49% of the total audit cost. The remaining 51% of these costs are to be paid from funds other than those appropriated in items 1 through 3. Audit costs may not exceed \$18,000 for each unit for the biennium.

Dawson, Flathead Valley, and Miles community colleges are prohibited from including in student enrollment, used in calculating the unrestricted budget referred to in 20-15-310, student FTE from out-of-district centers not approved under board of regent Policy 220.1.

BUREAU OF MINES

1. Research	1,232,850	53,000	1,285,850	1,233,523	53,000	1,286,523
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AGRICULTURAL EXPERIMENT STATION

1. Agricultural Experiment Station						
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	General Fund	Fiscal 1988 Current Unrestricted	Total	General Fund	Fiscal 1989 Current Unrestricted	Total
2. U.S. Range Laboratory	6,124,968	1,998,303	8,123,271	6,177,135	1,998,303	8,175,438
		385,954	385,954		385,954	385,954
Total	6,124,968	2,384,257	8,509,225	6,177,135	2,384,257	8,561,392
COOPERATIVE EXTENSION SERVICE						
1. Public Service	1,954,375	1,829,268	3,783,643	1,955,847	1,829,268	3,785,115
2. Professional Retirement Benefit Increase	659,420		659,420	665,731		665,731
3. Improved Communications	70,068		70,068	70,068		70,068
Total	2,683,863	1,829,268	4,513,131	2,691,646	1,829,268	4,520,914

The total money appropriated in item 2 may only be spent if a federal district or appellate court determines that cooperative extension service employees are federal employees within the meaning of Public Law 99-335. In the event these employees are not federal employees within the meaning of Public Law 99-335, up to \$221,300 in fiscal 1988 and up to \$277,611 in fiscal 1989 of the funds appropriated in item 2 may be spent for social security coverage and retirement benefits for 124 professional employees. There may be no transfers in or out of this item.

Item 3 is to be spent on improved communications to disseminate agricultural information statewide. There may be no transfers in or out of this item.

FOREST AND CONSERVATION EXPERIMENT STATION

1. Research	643,535	643,535	644,954	644,954
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UNIVERSITY FUNDING STUDY

1. Commissioner of Higher Education	15,000	15,000
2. Office of the Legislative Fiscal Analyst	130,000	130,000
3. Office of Budget and Program Planning	5,000	5,000

The Montana legislature recognizes the need to review the adequacy of the current method for funding the university system. The study shall be conducted by an eight-member legislative committee comprised of four members appointed by house leadership and four members appointed by the senate committee on committees.

The study shall be coordinated by the office of the legislative fiscal analyst in conjunction with the commissioner of higher education and active participation of the office of budget and program planning.

The scope of the study will encompass a review of higher education expenditures and funding, and an analysis of the adequacy and consistency of the university financing.

Items 1, 2, and 3 are biennial appropriations.

MONTANA STATE UNIVERSITY

1. Instruction				
a. Instruction Program	24,235,408	24,235,408	23,869,704	23,869,704
b. Phasedown			456,470	456,470
c. Architecture				
		130,000	130,000	130,000
2. Research		597,925	597,925	597,925
3. Public Service		10,300	10,300	10,300
4. Academic Support, Student Services, and Institutional Support	1,385,215	10,485,747	11,870,962	11,675,367
5. Audit	23,021	20,800	43,821	
6. Operation and Maintenance of Physical Plant	1,494,031	4,009,054	5,503,085	5,696,322
7. Scholarships and Fellowships		1,125,273	1,125,273	1,106,723
Total	27,137,675	16,379,099	43,516,774	43,542,811

Total audit costs are estimated to be \$87,642 for the biennium. Fifty percent of these costs are to be paid from funds other than those appropriated in items 1 through 7.

UNIVERSITY OF MONTANA

	General Fund	Fiscal 1988 Current Unrestricted	Total	General Fund	Fiscal 1989 Current Unrestricted	Total
1. Instruction						
a. Instruction Program	18,586,558		18,586,558	18,645,270		18,645,270
b. Law/Pharmacy		174,000	174,000		174,000	174,000
2. Research		445,254	445,254		446,534	446,534
3. Public Service		195,892	195,892		195,904	195,904
4. Academic Support, Student Services, and Institutional Support	1,883,300	8,254,019	10,137,319	1,860,880	8,291,820	10,152,700
5. Audit	22,932	19,600	42,532			
6. Operation and Maintenance of Physical Plant	1,860,505	3,528,478	5,388,983	1,996,637	3,534,186	5,530,823
7. Scholarships and Fellowships		983,741	983,741		985,218	985,218
Total	22,353,295	13,600,984	35,954,279	22,502,787	13,627,662	36,130,449

Total audit costs are estimated to be \$85,064 for the biennium. Fifty percent of these costs are to be paid from funds other than those appropriated in items 1 through 7.

EASTERN MONTANA COLLEGE

1. Instruction	6,468,676		6,468,676	6,478,550		6,478,550
2. Public Service		231,435	231,435		231,447	231,447
3. Academic Support, Student Services, and Institutional Support	850,296	3,207,247	4,057,543	875,888	3,180,518	4,056,406
4. Audit	22,932	19,600	42,532			
5. Operation and Maintenance of Physical Plant	882,641	1,147,702	2,030,343	886,232	1,198,562	2,084,794
6. Scholarships and Fellowships		353,209	353,209		353,099	353,099
Total	8,224,545	4,959,193	13,183,738	8,240,670	4,963,626	13,204,296

Total audit costs are estimated to be \$56,710 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

NORTHERN MONTANA COLLEGE

1. Instruction	4,190,393		4,190,393	4,266,713		4,266,713
2. Public Service		8,891	8,891		8,891	8,891
3. Academic Support, Student Services, and Institutional Support	563,571	1,561,036	2,124,607	536,756	1,622,803	2,159,559
4. Audit	22,399	12,400	34,799			
5. Operation and Maintenance of Physical Plant	624,651	496,793	1,121,444	667,837	478,740	1,146,577
6. Scholarships and Fellowships		274,815	274,815		271,722	271,722
Total	5,401,014	2,353,935	7,754,949	5,471,306	2,382,156	7,853,462

Total audit costs are estimated to be \$46,399 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

WESTERN MONTANA COLLEGE

1. Instruction	2,321,136		2,321,136	2,297,033		2,297,033
2. Academic Support, Student Services, and Institutional Support	326,621	828,246	1,154,867	335,721	805,298	1,141,019
3. Audit	22,332	11,500	33,832			
4. Operation and Maintenance of Physical Plant	353,701	381,476	735,177	342,802	407,728	750,530
5. Scholarships and Fellowships		83,472	83,472		82,469	82,469
Total	3,023,790	1,304,694	4,328,484	2,975,556	1,295,495	4,271,051

	General Fund	Fiscal 1988 Current Unrestricted	Total	General Fund	Fiscal 1989 Current Unrestricted	Total
Total audit costs are estimated to be \$45,110 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 5.						
MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY						
1. Instruction						
a. Instruction Program	3,995,761		3,995,761	4,002,548		4,002,548
2. Research		43,718	43,718		43,747	43,747
3. Academic Support, Student Services, and Institutional Support	574,728	1,755,233	2,329,961	588,412	1,741,604	2,330,016
4. Audit	22,999	20,500	43,499			
5. Operation and Maintenance of Physical Plant	683,568	911,485	1,595,053	677,252	948,888	1,626,140
6. Scholarships and Fellowships		202,189	202,189		202,189	202,189
Total	5,277,056	2,933,125	8,210,181	5,268,212	2,936,428	8,204,640

Total audit costs are estimated to be \$57,999 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

	General Fund	Fiscal 1988 State Special Revenue	Fiscal 1988 Federal Special Revenue	Proprietary	Total	General Fund	Fiscal 1989 State Special Revenue	Fiscal 1989 Federal Special Revenue	Proprietary	Total
TOTAL SECTION F										
	88,504,048	47,919,666	1,346,366	8,449,609	146,219,689	88,544,179	47,949,633	1,398,003	8,865,338	146,757,153

NOTE: The total of state special revenues for section F includes the following amounts of current unrestricted funds:

Fiscal 1988 — \$45,797,555

Fiscal 1989 — \$45,689,673

TOTAL STATE FUNDING

360,440,188	280,857,307	414,374,783	95,052,629	1,150,724,907	361,408,928	279,910,014	423,040,553	95,715,603	1,160,075,098
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Section 16. Effective date. This act is effective July 1, 1987.

And, as amended, do pass. Report adopted.

HB 275, introduced bill, be amended as follows:

1. Page 1, lines 18 through 19.

Following: "June 30," on line 18

Strike: remainder of line 18 through "30," on line 19

And, as amended, do pass. Report adopted.

HB 436, third reading copy, be amended as follows:

3/27/87

1. Page 15, line 4.

Following: "area 11:"

Insert: "(i)"

2. Page 15, line 5.

Following: "Missoula);"

Insert: "and

(ii) Ravalli County;"

And, as amended, do pass. Report adopted.

HB 599, introduced bill, be amended as follows:

3/26/87

1. Title, line 5.

Following: "FUND"

Insert: "AND THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS"

2. Page 2, lines 13 through 14.

Following: "appropriated" on line 13

Strike: remainder of line 13 through "fund" on line 14

3. Page 2, line 16.

Strike: "\$321,200"

Insert: "\$150,000"

4. Page 2, line 17 through line 1, page 3.

Following: "1989," on line 17

Strike: line 17 through line 1, page 3 in their entirety

Insert: "of which \$100,000 is from the general fund and \$50,000 is state special revenue from the account established by 87-1-601."

And, as amended, do pass. Report adopted.

HB 867, do pass. Report adopted.

3/27/87

BUSINESS AND LABOR (Kitselman, Chairman):

3/26/87

SB 315, third reading copy, be amended as follows:

1. Title, page 2, line 17.

Following: "39-71-122,"

Insert: "39-71-309,"

2. Title, page 2, line 20.

Following: "MCA;"

Insert: "MAKING CERTAIN PROVISIONS RETROACTIVE;"

3. Page 11, line 25.

Strike: "or"

Insert: ", "

Following: "lodging"

Insert: ", rent, or housing"

4. Page 12, line 1.

Strike: ", "

Insert: "and is"

Following: "on"

Strike: "the"

Insert: "its"

Strike: "of the" on line 1 through "housing" on line 2

5. Page 14, line 20.

Strike: "— criminal penalty"

6. Page 15, line 7.

Following: "72"

Insert: ", other than the disputes described in subsection (2),"

7. Page 16, lines 7 and 8.

Strike: "A" on line 7 through "A" on line 8

Insert: "Upon motion of a party, the"

8. Page 16, line 9.

Strike: "the"

Insert: "either"

9. Page 16, line 13.

Strike: "(6)"

Insert: “(d)”

10. Page 32, line 3.

Strike: “39-71-61”

Insert: “39-71-611”

11. Page 32, line 11.

Strike: “If”

Insert: “When”

12. Page 32, line 14.

Strike: “new hires”

Insert: “other applicants”

13. Page 32, line 15.

Strike: “within such 2-year period”

Strike: “.”

14. Page 32, line 16.

Strike: “(a)”

15. Page 32, lines 17 through 19.

Strike: “, and” on line 17 through “applicants” on line 19

16. Page 33, line 4.

Strike: “injuries producing”

17. Page 35.

Following: line 16

Insert: “on”

18. Page 35, line 17.

Following: “more”

Strike: “that”

Insert: “than”

19. Page 36, line 4.

Strike: “injuries causing”

Insert: “permanent”

20. Page 36, line 5.

Following: “disability”

Insert: “— impairment awards and wage supplements”

21. Page 36.

Following: line 15

Insert: “The benefits available for permanent partial disability are impairment awards and wage supplements.”

22. Page 38, line 20.

Strike: “subsections”

Insert: “subsection”

Strike: “and (2)”

23. Page 39, line 14.

Following: “of”

Strike: “he”

Insert: “the”

24. Page 39, line 15.

Following: “direct”

Strike: “a”

Insert: “the”

25. Page 39, line 23.

Strike: "10"

Insert: "30"

26. Page 40, line 25.

Strike: "a workers"

Insert: "the"

27. Page 41, line 1.

Following: "subsection"

Insert: "(3)(b)(i) or"

Following: "(3)(b)(ii)"

Strike: "or (3)(b)(iii)"

28. Page 41, line 4.

Following: "subsection"

Strike: "(3)(b)(iii)"

Insert: "(3)(b)(ii)"

29. Page 41, line 14.

Following: "services"

Insert: "— fee schedules and hospital rates"

30. Page 42, line 20.

Following: "January"

Insert: "1,"

31. Page 43, line 2.

Following: "January"

Insert: "1,"

32. Page 44, line 7.

Following: "total"

Insert: "disability"

33. Page 45, line 20.

Strike: "39-71-116"

34. Page 46, line 4.

Following: "and"

Strike: "39-71-116"

35. Page 46, line 8.

Following: "wage"

Insert: "at the time of injury"

36. Page 46, line 22.

Following: "through"

Strike: "39-71-116"

37. Page 49, line 2.

Strike: "and"

Insert: " ,"

38. Page 49, line 3.

Following: "payments"

Insert: " , and lump-sum advance payments"

39. Page 52, line 16.

Following: "agree"

Insert: "to a settlement"

40. Page 53, line 16.

Strike: "worker's"

Insert: "workers"

41. Page 53, line 19.

Strike: "RELEASES"

Insert: "RELEASE"

42. Page 54, line 11.

Following: "all lump-sum"

Insert: "advance"

43. Page 54, line 15.

Following: "lump-sum"

Insert: "advance"

44. Page 54, line 16.

Following: "lump-sum"

Insert: "advance"

45. Page 54, line 25.

Strike: "accident"

Insert: "injury"

46. Page 55, line 2.

Strike: "accident"

Insert: "injury"

47. Page 66, line 3.

Strike: "services"

Insert: "appeals"

48. Page 67, line 15.

Strike: "nd"

Insert: "and"

49. Page 68, line 13.

Following: "a"

Insert: "total of"

Following: "\$4,000"

Strike: "total"

50. Page 69, line 11.

Strike: "and"

Insert: "but"

51. Page 69, line 23.

Strike: "services"

Insert: "provider or the department of social and rehabilitation services"

52. Page 70, line 1.

Following: "provider"

Insert: "or the department of social and rehabilitation services"

53. Page 70.

Following: line 24

Insert: "rehabilitation"

Strike: "under this part"

54. Page 72, line 8.

Following: "security"

Insert: "in addition to the security described in subsection (1)"

55. Page 72, line 13.

Following: "security"

Insert: "provided for in subsection (2)"

56. Page 80, line 24.

Strike: "— limitation"

57. Page 82, line 2.

Following: "or"

Insert: "by"

58. Page 83, line 16.

Strike: "as defined in"

Insert: ", damage, or death as set forth in"

59. Page 83, line 17.

Strike: "but which"

Insert: "and"

60. Page 83, line 18.

Strike: "is"

61. Page 84, line 5.

Strike: "(SiO SB2)"

Insert: "(SiO₂)"

62. Page 86, line 9.

Strike: "and"

Insert: "or"

63. Page 91, line 19.

Following: "39-71-122,"

Insert: "39-71-309,"

64. Page 92.

Following: line 7

Insert: "(2) Sections 8 and 52 through 57 are intended to be codified as an integral part of Title 39, chapter 71, and the provisions of Title 39, chapter 71, apply to sections 8 and 52 through 57."

Renumber: subsequent subsections

65. Page 93, lines 9 through 11.

Strike: "The" on line 9 through "disputes" on line 11

Insert: "Sections 8 and 52 through 57"

Following: "apply"

Insert: "retroactively, within the meaning of 1-2-109,"

66. Page 93, line 12.

Following: "occurrence."

Insert: "With respect to rehabilitation disputes, sections 8 and 52 through 57 apply retroactively, within the meaning of 1-2-109, unless the division had jurisdiction over the dispute under the law in effect at the time of injury."

67. Page 93, lines 13 through 20.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 353, third reading copy, be amended as follows:

1. Title, line 7.

Following: "33-22-111"

Insert: "17-7-502,"

Following: "33-1-102"

Insert: “,”

2. Page 10, line 18.

Strike: “for approval”

3. Page 10, line 19.

Following: “[section 8(7)]”

Insert: “, however, nothing in this subsection deprives the health maintenance organization of its right to confidentiality of any proprietary information and the commissioner may not disclose that proprietary information to any other person”

4. Page 13.

Following: page 12, line 25

Insert: “(7) The commissioner may make reasonable rules exempting an insurer or health service corporation operating a health maintenance organization as a plan from the filing requirements of this section if information requested in the application has been submitted to the commissioner under other laws and rules administered by the commissioner.”

5. Page 18, line 3.

Following: “may”

Insert: “, after notice and hearing, within 60 days”

6. Page 18, line 4.

Following: “power”

Insert: “under subsection (1)(a), (1)(b), or (1)(d)”

7. Page 18, lines 10 through 12.

Strike: lines 10 and 11 in their entirety and line 12 through “commissioner.”

8. Page 20, lines 18 through 19.

Following: “is” on line 18

Strike: remainder of line 18 and line 19 in its entirety

9. Page 23, line 1.

Following: “limits”

Insert: “and coverage”

10. Page 23, line 2.

Strike: “33-22-703;”

Insert: “Title 33, chapter 22, part 7; however:

(i) after the primary care physician refers an enrollee for treatment of and appropriate ancillary services for mental illness, alcoholism, or drug addiction, the health maintenance organization may not limit the enrollee to a health maintenance organization provider for the treatment of an appropriate ancillary services for mental illness, alcoholism, or drug addiction;

(ii) if an enrollee chooses a provider other than the health maintenance organization provider for such treatment and referral services, the enrollee’s designated provider must limit his treatment and services to the scope of the referral in order to receive payment from the health maintenance organization;

(iii) the amount paid by the health maintenance organization to the enrollee’s designated provider may not exceed the amount paid by the health maintenance organization to one of its providers for equivalent treatment or services;”

11. Page 25.

Following: line 17

Strike: lines 18 through 25 on page 25 and lines 1 and 2, page 26 in their entirety

12. Page 26, lines 3 and 4.

Strike: "a reasonable period"

Insert: "60 days"

13. Page 26, line 6.

Strike: "or use a schedule of charges"

14. Page 26, lines 7 and 8.

Following: "form" on line 7

Strike: remainder of line 7 and line 8 through "charges"

15. Page 26, line 15.

Following: "any"

Insert: "relevant"

16. Page 29, line 24.

Strike: "A"

Insert: "Except for a health maintenance organization operated as a plan by a health service corporation, a"

17. Page 39, line 10.

Following: "title"

Insert: "or licensed as an enrollment representative under 33-30-311 through 33-30-313"

18. Page 41, lines 13 through 15.

Following: "organization" on line 13

Strike: remainder of line 13, line 14 in its entirety, and line 15 through "arrangements"

19. Page 43, line 25.

Following: "[section 3]"

Insert: "and provided that such operation adversely affects the health maintenance organization's ability to provide benefits and operate under the application approved by the commissioner"

20. Page 47, line 21.

Strike: "quality"

Insert: "availability, accessibility, and continuity"

21. Page 49, line 9.

Following: "\$25"

Insert: ";

(d) for annual continuation of certificate of authority, \$300"

22. Page 49, lines 20 and 21.

Following: "~~17-7-502.~~" on line 20

Strike: remainder of lines 20 and line 21 in their entirety

Insert: "Such fees are statutorily appropriated to the department of health as provided in 17-7-502."

23. Page 60.

Following: line 5

Insert: "Section 30. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by

permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

- (a) 2-9-202;
- (b) 2-17-105;
- (c) 2-18-812;
- (d) 10-3-203;
- (e) 10-3-312;
- (f) 10-3-314;
- (g) 10-4-301;
- (h) 13-37-304;
- (i) 15-31-702;
- (j) 15-36-112;
- (k) 15-70-101;
- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;
- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;
- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;

(bb) 19-12-301;

(cc) 19-13-604;

(dd) 20-6-406;

(ee) 20-8-111;

(ff) 23-5-612;

(gg) [section 17];

(hh) [section 22];

~~(gg)~~(ii) 37-51-501;

~~(hh)~~(jj) 53-24-206;

~~(ii)~~(kk) 75-1-1101;

~~(jj)~~(ll) 75-7-305;

~~(kk)~~(mm) 80-2-103;

~~(ll)~~(nn) 80-2-228;

~~(mm)~~(oo) 90-3-301;

~~(nn)~~(pp) 90-3-302;

~~(oo)~~(qq) 90-15-103; and

~~(pp)~~(rr) Sec. 13, HB 861, L. 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.””

Renumber: subsequent sections

24. Statement of intent, page 2.

Strike: lines 9 through 14 in their entirety

Insert: “Any rule promulgated by the commissioner in regard to advisory boards of health maintenance organizations must require the membership of those advisory boards to include multidisciplinary representatives.”

And, as amended, be concurred in. Report adopted.

SB 371, third reading copy, be amended as follows:

1. Title, line 8.

Following: “PROVIDING AN”

Insert: “APPLICABILITY DATE AND AN”

2. Page 1, line 12.

Strike: “6”

Insert: “7”

3. Page 1, line 13.

Strike: “Health Care Reimbursement Reform”

Insert: “Preferred Provider Agreements”

4. Page 1.

Following: line 13

Insert: "Section 2. Purpose. The purpose of [sections 1 through 7] is to allow a health care insurer providing disability insurance benefits to negotiate and contract with health care providers to:

(1) provide health care services to its insureds or subscribers at a reduction in the fees customarily charged by the provider; or

(2) enter into agreements in which the participating providers accept negotiated fees as payment in full for health care services the health care insurer is obligated to provide or pay for under the health benefit plan."

Renumber: subsequent sections

5. Page 1, line 15.

Strike: "6"

Insert: "7"

6. Page 2.

Following: line 4

Insert: "(3) 'Health care insurer' means:

(a) an insurer that provides disability insurance as defined in 33-1-207;

(b) a health service corporation as defined in 33-30-101;

(c) a health maintenance organization [as defined in section 2 of Senate Bill No. 353];

(d) a fraternal benefit society as defined in 33-7-102;

(e) an administrator as defined in 33-17-601; or

(f) any other entity regulated by the commissioner that provides health coverage."

Renumber: subsequent subsections

7. Page 2, lines 7 through 9.

Following: "authorization" on line 7

Strike: remainder of line 7, line 8 in its entirety, and line 9 through "products"

Insert: "or services provided under Title 33, chapter 22, part 7"

8. Page 2, lines 14 through 17.

Strike: subsection (5) in its entirety

Insert: "(6) 'Preferred provider' means a provider or group of providers who have contracted to provide specified health care services.

(7) 'Preferred provider agreement' means a contract between or on behalf of a health care insurer and a preferred provider."

Renumber: subsequent subsection

9. Page 2, line 20.

Strike: "in this state"

Insert: "or services covered within Title 33, chapter 22, part 7"

10. Page 2.

Following: line 20

Insert: "(9) 'Subscriber' means a certificate holder or other person on whose behalf the health care insurer is providing or paying for health care coverage."

11. Page 2, line 23.

Strike: "an"

Insert: "a health care"

12. Page 2, line 25.

Strike: "the insurer's"

13. Page 3, line 1.

Following: "insureds"

Insert: "or subscribers on whose behalf the health care insurer is providing health care coverage"

Following: "including"

Insert: "preferred provider"

Following: "to"

Insert: ": (i)"

14. Page 3, line 2.

Following: ","

Insert: "(ii) the amount and manner of payment to the provider;"

15. Page 3, line 12.

Strike: "ARRANGEMENT"

Insert: "agreement"

16. Page 3, line 14.

Strike: "MEDICALLY NECESSARY"

Insert: "health care services"

Strike: "EXPENSES"

17. Page 3, line 15.

Strike: "6"

Insert: "7"

18. Page 3, line 22.

Strike: "(2)"

19. Page 3, line 23.

Following: "LEAST"

Insert: ": (a)"

20. Page 3, line 25.

Strike: "ARRANGEMENT"

Insert: "agreement"

21. Page 4, line 3.

Following: "PROVIDER"

Insert: "; and"

(b) a provision that clearly identifies the difference in benefit levels for health care services of a preferred provider and benefit levels for the same health care services of a nonpreferred provider"

22. Page 4.

Following: line 3

Insert: "(2) A health care insurer may not require hospital staff privileges as criteria for designation as a preferred provider in a preferred provider agreement."

23. Page 4, line 5.

Strike: "ARRANGEMENTS"

Insert: "agreements"

24. Page 4, line 6.

Strike: "ARRANGEMENTS"

Insert: "agreements"

25. Page 4, line 9.

Strike: "POLICYHOLDERS"

Insert: "insureds"

26. Page 4, lines 11 through 16.

Following: "(A) A" on line 11

Strike: remainder of line 11, lines 12 through 15 in their entirety, and line 16 through "ARRANGEMENTS"

Insert: "provision setting a payment difference for reimbursement of a nonpreferred provider as compared to a preferred provider. If the health benefit plan contains a payment difference provision, the payment difference may not exceed 25% of the reimbursement level at which a preferred provider would be reimbursed"

27. Page 4, line 20.

Following: "OF"

Strike: "A PROVIDER ARRANGEMENT,"

Insert: "an"

28. Page 4, line 21.

Following: "POLICY"

Strike: " "

Following: "CONTRACT"

Insert: ", except those already approved by the commissioner,"

29. Page 4, line 24 through page 5, line 1.

Following: "rules" on line 24

Strike: remainder of lines 24 and 25 and line 1, page 5 in their entirety

Insert: "necessary to implement the provisions of"

30. Page 5, line 2.

Strike: "6"

Insert: "7"

31. Page 5, line 4.

Strike: "6"

Insert: "7"

32. Page 5, line 6.

Strike: "6"

Insert: "7"

33. Page 5.

Following: line 6

Insert: "Section 9. Coordination instruction. If Senate Bill No. 353, including the definition of "health maintenance organization", is not passed and approved, the bracketed language in section 3(3)(c) of this act is void."

Renumber: subsequent sections

34. Page 5.

Following: line 12

Insert: "Section 11. Applicability — filing with commissioner. On or before January 1, 1988, a health care insurer performing the functions enumerated in this act shall notify the commissioner of its existence and continue to operate subject to the provisions of this act."

Renumber: subsequent section

35. Page 5, line 13.

Strike: "6"

Insert: "7"

And, as amended, be concurred in. Report adopted.

SB 385, third reading copy, be amended as follows:

1. Page 8, line 20 through page 9, line 11.

Following: "(a)" on page 8, line 20

Strike: remainder of line 20 through line 11, page 9

Insert: "provides inpatient care to ill or injured persons prior to their transportation to a hospital or provides inpatient medical care to persons needing that care for a period of no longer than 96 hours;

(b) either is located in a county with fewer than six residents per square mile or is located more than 35 road miles from the nearest hospital."

2. Page 16, line 16 through page 17, line 7.

Following: "(a)" on page 16, line 16

Strike: remainder of line 16 through line 7, page 17

Insert: "provides inpatient care to ill or injured persons prior to their transportation to a hospital or provides inpatient medical care to persons needing that care for a period of no longer than 96 hours;

(b) either is located in a county with fewer than six residents per square mile or is located more than 35 road miles from the nearest hospital."

3. Page 20.

Following: line 6

Insert: "NEW SECTION. Section 3. Coordination instruction. If Senate Bill No. 246 and this bill are both passed and approved, the code commissioner shall add the term "medical assistance facility" to the list of facilities defined as "health care facilities" in 50-5-301, as amended by Senate Bill No. 246."

Renumber: subsequent section

Committee attached the following statement of intent:

Statement of Intent
SB 385

A statement of intent is provided for this bill because it extends the authority of the department of health and environmental sciences to set licensure standards to cover medical assistance facilities. It is the intent of the legislature that the department adopt licensure standards for such facilities that include, but are not limited to, the following:

(1) the types, training, and supervision of staff the facility must have, including either a physician, nurse practitioner, or physician assistant, with the restriction that a physician, nurse practitioner, or physician assistant need not be on site at all times but may be on call so long as he is available within 1 hour;

(2) requirements for medical treatment protocols that must be utilized by staff;

(3) review of a professional review organization or its equivalent to determine if the level of care provided is appropriate; and

(4) a requirement that the facility have a referral agreement with a hospital ensuring acceptance of patients needing hospital-level care who are treated at the facility.

And, as amended, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

3/27/87

HJR 47, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Harp, Chairman):

3/26/87

HB 896, do pass. Report adopted.

SB 69, be concurred in. Report adopted.

SB 187, be concurred in. Report adopted.

SB 212, third reading copy, be amended as follows:

1. Page 2, line 8.

Following: "vehicle."

Insert: "However, if the applicant's vehicle does not otherwise require a commercial vehicle operator's endorsement, a hazardous material endorsement may be substituted for the commercial vehicle operator's endorsement."

2. Page 2, line 20.

Following: "or material"

Insert: ", defined or listed as a hazardous material in Title 49, Code of Federal Regulations,"

3. Page 6, line 11.

Strike: "as an operator"

4. Page 13, line 3.

Following: "applicants."

Insert: "(1)"

5. Page 13.

Following: line 20

Insert: "(2) Within 90 days of receipt of an application for a commercial vehicle operator's endorsement, the department shall give an examination for endorsement to the applicant in the county where the applicant resides."

6. Page 16, line 14.

Following: "(i)"

Strike: "Class I A"

Insert: "intrastate"

7. Page 16, line 15.

Following: "(ii)"

Strike: "Class H B"

Insert: "intrastate"

8. Page 17.

Following: line 4

Insert: "(11) After January 1, 1988, the holder of a valid operator's, chauffeur's, or driver's license may obtain a hazardous material endorsement by successfully completing a written examination."

Committee attached the following statement of intent:

Statement of Intent

SB 212

A statement of intent is required for this bill because [section 40] grants rulemaking authority to the department of justice. The bill gives the department authority to define commercial motor vehicle and to prescribe

requirements and procedures for the licensing of commercial motor vehicles and commercial vehicle operators.

It is the legislature's intent that the department adopt rules for commercial motor vehicles and operators in order to bring the state into compliance with federal regulations established by Title XII, Commercial Motor Vehicle Safety Act of 1986, effective July 1, 1987.

And, as amended, be concurred in. Report adopted.

SB 300, be concurred in. Report adopted.

JUDICIARY (Lory, Chairman):

3/26/87

HB 873, do pass. Report adopted.

SB 77, be concurred in. Report adopted.

SB 139, third reading copy, be amended as follows:

1. House Judiciary Committee amendments, dated 3/23/87.

Strip: amendment no. 3

2. Page 6, line 2.

Following: "recreational"

Insert: "snowmobiling"

Following: "opportunities"

Insert: ", including but not limited to a snowmobile area,"

3. Page 6, line 3.

Following: "property,"

Insert: "and when not also acting as a snowmobile area operator on the property,"

And, as amended, be concurred in. Report adopted.

SB 229, be concurred in. Report adopted.

SB 275, third reading copy, be amended as follows:

3/27/87

1. Title, line 8.

Strike: "SECTIONS 46-8-102 AND"

Insert: "SECTION"

2. Page 1, lines 11 through 20.

Strike: section 1 in its entirety

Re-number: subsequent section

3. Page 2, line 2.

Strike: "Appointed"

Insert: "Except as provided in subsection (3), appointed"

4. Page 2, line 9.

Following: "with"

Insert: "an offense which, if committed by an adult, would be"

5. Page 2, line 11.

Following: "parents"

Insert: "and may deny or appoint counsel accordingly"

And, as amended, be concurred in. Report adopted.

SB 286, third reading copy, be amended as follows:

1. Title, line 11.

Strike: "REVISE"

Insert: "CLARIFY"

2. Title, line 12.

Following: "23-2-301,"

Insert: "23-2-301,"

Following: "23-2-302,"

Insert: " ,"

3. Page 1.

Following: line 17

Insert: "Section 1. Section 23-2-301, MCA, is amended to read:

"23-2-301. Definitions. For purposes of this part, the following definitions apply:

(1) "Barrier" means an artificial obstruction located in or over a water body, restricting passage on or through the water, which totally or effectively obstructs the recreational use of the surface water at the time of use. A barrier may include but is not limited to a bridge or fence or any other manmade obstacle to the natural flow of water.

(2) "Class I waters" means surface waters, other than lakes, that:

(a) lie within the officially recorded federal government survey meander lines thereof;

(b) flow over lands that have been judicially determined to be owned by the state by reason of application of the federal navigability test for state streambed ownership;

(c) are or have been capable of supporting the following commercial activities: log floating, transportation of furs and skins, shipping, commercial guiding using multiperson watercraft, public transportation, or the transportation of merchandise, as these activities have been defined by published judicial opinion as of April 19, 1985; or

(d) are or have been capable of supporting commercial activity within the meaning of the federal navigability test for state streambed ownership.

(3) "Class II waters" means all surface waters that are not class I waters, except lakes.

(4) "Commission" means the fish and game commission provided for in 2-15-3402.

(5) "Department" means the department of fish, wildlife, and parks provided for in 2-15-3401.

(6) "Diverted away from a natural water body" means a diversion of surface water through a manmade water conveyance system, including but not limited to:

(a) an irrigation or drainage canal or ditch;

(b) an industrial, municipal, or domestic water system, excluding the lake, stream, or reservoir from which the system obtains water;

(c) a flood control channel; or

(d) a hydropower inlet and discharge facility.

(7) "Lake" means a body of water where the surface water is retained by either natural or artificial means and the natural flow of water is substantially impeded.

(8) "Occupied dwelling" means a building used for a human dwelling at least once a year.

(9) "Ordinary high-water mark" means the line that water impresses on land by covering it for sufficient periods to cause physical characteristics that distinguish the area below the line from the area above it. Characteristics of the area below the line include, when appropriate, but are not limited to deprivation of the soil of substantially all terrestrial vegetation and destruction of its agricultural vegetative value. A flood plain adjacent to surface waters is not considered to lie within the surface waters' high-water marks.

(10) "Recreational use" means with respect to surface waters, unless otherwise prohibited or regulated by law: fishing, hunting waterfowl, swimming, floating in small craft or other flotation devices, boating in motorized craft ~~unless otherwise prohibited or regulated by law~~, or craft propelled by oar or paddle, other water-related pleasure activities, and related unavoidable or incidental uses.

(11) "Supervisors" means the board of supervisors of a soil conservation district, the directors of a grazing district, or the board of county commissioners if a request pursuant to 23-2-311(3)(b) is not within the boundaries of a conservation district or if the request is refused by the board of supervisors of a soil conservation district or the directors of a grazing district.

(12) "Surface water" means, for the purpose of determining the public's access for recreational use, a natural water body, its bed, and its banks up to the ordinary high-water mark.""

Renumber: subsequent sections

4. Page 1, line 23.

Following: "waters."

Insert: "However, any use of the bed and banks must be of minimal impact and necessary for utilization of the water itself."

5. Page 2, line 13.

Strike: "big game"

6. Page 2, line 14.

Following: "~~commission~~"

Strike: ".,"

Insert: "., except waterfowl hunting. This subsection (d) does not require permission of the landowner unless permission is otherwise required by 45-6-201 and 45-6-203 or by 87-3-304."

7. Page 2, line 18.

Following: "permanent"

Insert: "or seasonal"

8. Page 2, line 21.

Strike: "permanent"

Strike: "or"

9. Page 2, line 23.

Following: "therein"

Strike: ".,"

Insert: ".,

(g) campfires, except portable stoves, unless mandated by an emergency;

(h) overnight camping, unless it is necessary for utilization of the water itself and unless it does not occur within sight or 500 yards of an occupied dwelling; or

(i) other activities which are not primarily water-related pleasure activities as provided for in 23-2-301(10)."

10. Page 2, line 25.

Following: "include"

Strike: ", "

Insert: "overnight camping"

11. Page 3, lines 1 through 8.

Following: "landowner" on line 1

Strike: ":" on line 1 through "23-2-301(10)" on line 8

12. Page 5, line 19.

Following: "barriers"

Insert: ", whether or not the landowner owns the barrier,"

13. Page 5, lines 21 through 25.

Strike: "The" on line 21 through line 25

14. Page 6, line 9.

Strike: "(e)"

Insert: "(d)"

And, as amended, be concurred in. Report adopted.

SB 363, third reading copy, be amended as follows:

1. Page 1, line 13.

Following: "be:"

Strike: ":",

2. Page 1, line 20 through line 1, page 2.

Strike: "(A) (I) THE" on page 1, line 20 through "(B)" on line 1, page 2

3. Page 2, lines 4 and 5.

Strike: "IF THE SUM PROVIDED IN SUBSECTION (1)(A) EXCEEDS THAT AMOUNT"

And, as amended, be concurred in. Report adopted.

SB 375, third reading copy, be amended as follows:

3/26/87

1. Title, line 16.

Strike: "IMMEDIATE"

2. Page 5, lines 1 and 2.

Strike: "the effective date of this act"

Insert: "July 1, 1987"

3. Page 5, line 4.

Strike: "on passage and approval"

Insert: "July 1, 1987"

And, as amended, be concurred in. Report adopted.

SB 380, third reading copy, be amended as follows:

1. Title, line 6.

Strike: ":",

Insert: "AND"

2. Title, lines 7 and 8.

Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2.

Following: line 4

Insert: "(4) The requirement in subsection (2)(b) that the product is expected to and does reach the user or consumer without substantial change in the condition in which the product is sold does not apply to an action based upon improper product design."

Renumber: subsequent subsections

4. Page 2, lines 17 and 18.

Strike: "or in the exercise of ordinary care should have discovered"

5. Page 2, lines 19 and 20.

Strike: "and was aware or in the exercise of ordinary care should have been aware of the danger"

Insert: "or the defect was open and obvious"

6. Page 2, line 20.

Following: "and"

Insert: "the user or consumer"

7. Page 2, line 22.

Strike: "UNFORESEEABLY"

Insert: "unreasonably"

8. Page 3, line 1.

Strike: "(4)"

Insert: "(5)"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

3/27/87

SB 173, be not concurred in.**SB 372**, as amended, be not concurred in.

NATURAL RESOURCES (Jones, Chairman):

3/27/87

HJR 49, do pass. Report adopted.**SB 184**, third reading copy, be amended as follows:

1. Title, line 8.

Following: "ACT"

Insert: "UNTIL A PROGRAMMATIC ENVIRONMENTAL STATEMENT IS ADOPTED"

2. Page 4, line 4.

Following: "(3)"Insert: "(a)"

Strike: "The"

Insert: "Until the board of oil and gas conservation adopts a programmatic environmental statement, but no later than June 30, 1989, the"

3. Page 4.

Following: line 6

Insert: "(b) The board of oil and gas conservation shall adopt a programmatic statement by June 30, 1989, that must include but not be limited to:

(i) such environmental and cumulative impacts as may be found to be associated with the drilling for and production of oil and gas in the major producing basins and ecosystems in Montana;

(ii) such methods of accomplishing drilling and production of oil and gas as may be found to be necessary to avoid permanent impairment

of the environment or to mitigate long-term impacts so that the environment and renewable resources of the ecosystem may either be returned to conditions similar to those existing before drilling or production occurs or conditions that reflect a natural progression of environmental change;

(iii) the process that will be employed by the board of oil and gas conservation to evaluate such environmental impacts of individual drilling proposals as may be found to exist;

(iv) an appropriate method for incorporating such environmental review as may be found to be necessary into the board's rules and drill permitting process and for accomplishing the review in an expedient manner;

(v) the maximum time periods that will be required to complete the drill permitting process, including any environmental review; and

(vi) a record of information and analysis for the board of oil and gas conservation to rely upon in responding to public and private concerns about drilling and production.

(c) The governor shall direct and have management responsibility for the preparation of the programmatic statement, including responsibility on behalf of the board of oil and gas conservation for the disbursement and expenditure of funds necessary to complete the statement. The facilities and personnel of appropriate state agencies must be used to the extent the governor deems necessary to complete the statement. The governor shall forward the completed draft programmatic statement to the board of oil and gas conservation for hearing pursuant to the provisions of the Montana Administrative Procedure Act, Title 2, chapter 4. Following completion of a final programmatic statement, the governor shall forward the statement to the board for adoption and use in the issuance of permits to drill for oil and gas."

And, as amended, be concurred in. Report adopted.

SB 373, be concurred in. Report adopted.

RULES (Hannah, Chairman):

3/26/87

HB 754, second reading copy, be amended as follows:

1. Title, line 5.

Following: "CHANGING THE"

Insert: "CHIEF"

2. Title, lines 9 through 11.

Following: "BASINS;"

Strike: remainder of line 9 through "COURTS" on line 11

Insert: "APPROPRIATING MONEY FOR JUDICIAL NOMINATION COMMISSION EXPENSES RELATING TO WATER COURT APPOINTMENTS"

3. Title, line 12.

Following: "3-1-1011,"

Strike: "3-7-201,"

4. Page 1, line 24.

Strike: "or a water judge"

5. Page 1, line 25.

Strike: "3-7-201 and"

6. Page 3, lines 19 through 20.

Strike: "or a water judge"

7. Page 4, line 9 through line 9, page 5.

Strike: section 6 in its entirety

Renumber: subsequent sections

8. Page 8, line 11 through line 23, page 9.

Strike: section 11 in its entirety

Insert: "NEW SECTION. Section 11. Appropriation. There is appropriated \$1,200 to the Montana supreme court for expenses of the judicial nomination commission in performing functions relating to water court appointments."

9. Page 9, line 25 through line 1, page 10.

Strike: "and" on line 25 through "conservation" on line 1, page 10

Iverson Committee of the Whole Amendment, dated 2/24/87, 5:00 p.m.
(Statement of Intent);

10. Page 2, second paragraph, third sentence.

Strike: "the department's field office"

Insert: "geographical"

11. Page 2, second paragraph, fourth sentence.

Following: "process,"

Insert: "that the water judge may vary efforts from area to area based on available resources,"

12. Page 2, subheading I.

Strike: "field office"

13. Page 2, subheading II.

Strike: "field office"

14. Page 2, subheading III.

Strike: "field office"

15. Page 2, subheading IV.

Strike: "field office"

16. Page 3, subheading V.

Strike: "field office"

17. Page 3, subheading VI.

Strike: "field office"

18. Page 3, subheading VII.

Strike: "field office"

19. Page 3, subheading VIII.

Strike: "field office"

20. Page 3, subheading IX.

Strike: "field office"

And, as amended, do pass. Report adopted.

SB 29, be concurred in. Report adopted.

SB 113, be concurred in. Report adopted.

SB 365, as amended, be not concurred in. Chairman Sales moved to adopt the committee report. Representative Spaeth made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. After debate, Representative Roth moved the previous question. Motion carried. The Spaeth motion failed. (39-57)

The adverse committee report was adopted as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, Campbell, Cody, Compton, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Iverson, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Raney, Rehberg, Roth, Sales, Simon, Smith, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Mr. Speaker.
Total 58

Noes: Addy, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Gilbert, Grady, Harper, Harrington, Holliday, Keenan, Kennerly, Manuel, Mercer, Miles, Miller, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Ramirez, Rapp-Svrcek, Ream, Russell, Sands, Schye, Spaeth, Stang, Strizich, Vincent, Whalen, Winslow.
Total 37

Excused: Daily, Moore.
Total 2

Absent or not voting: Driscoll, Jenkins, Menahan.
Total 3

MOTIONS

Representative Manuel moved that SB 198, the bill dealing with branch banking, be taken from the table in the Committee on Business and Labor and printed and placed on second reading on the 69th legislative day. After considerable debate, Representative Donaldson moved the previous question. Motion carried. The Manuel motion carried. (47-46) Representative Rapp-Svrcek arose to say he had voted no, but it was not recorded, although the light had come on at his desk. The Chair ruled the vote was in order.

Representative Bradley moved that she be allowed to change her vote on the adverse committee report on SB 365 from yes to no. The change would not affect the outcome. Motion carried.

Representative Brandewie moved that the House reconsider its action on SB 198, because Representative Rapp-Svrcek should be allowed to have his vote recorded on such an important issue. Motion carried. (67-28)

Representative Manuel moved that SB 198, the branch banking bill, be taken from the table in the Committee on Business and Labor and printed and placed on second reading on the 69th legislative day. Motion failed. (49-50)

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 1:45 p.m. Motion carried.

House recessed at 12:40 p.m.

House reconvened at 2:15 p.m.

Mr. Speaker in the Chair.

Representative Thoft excused at this time.

Representative Daily present at this time.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill No. 206
Report No. 1, March 24, 1987

Mr. Speaker:

We, your Conference Committee on Senate amendments to House Bill No. 206 met and considered:

Senate amendments to House Bill No. 206, third reading copy, dated March 9, 1987, made in Committee of the Whole of the Senate.

We recommend as follows:

That House Bill No. 206, reference copy, be amended as follows:

1. Title, line 8.

Strike: "\$1"

2. Page 3, line 5.

Strike: "\$1"

And that this Conference Committee report be adopted.

For the Senate:

Boylan, Chairman
Stimatz
Rasmussen

For the House:

McCormick
Swysgood
Brandewie

Free Conference Committee
on House Bill No. 471
Report No. 1, March 27, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 471 met and considered:

House Bill 471, Senate Committee on Public Health, Welfare, and Safety amendments to the third reading copy, dated March 11, 1987, and Senate Committee of the Whole amendment to the third reading copy, dated March 13, 1987.

We recommend as follows:

Attach the following statement of intent:

Statement of Intent
HB 471

A statement of intent is required for this bill because section 10 requires the board of medical examiners to adopt rules that set professional, practice, and ethical standards for licensed nutritionists and such other rules as may be necessary for the administration of this act.

The legislature intends that the board adopt rules to protect the public health, safety, and welfare by regulating nutritional assessment and counseling and by protecting the title of nutritionist.

The legislature further intends to provide recourse in cases of misrepresentation or clear and direct harm in nutritional practice, recognizing as well that the public's constitutional freedoms and right to the pursuit of health must not be limited without good cause.

The legislature does not intend to prevent the sale of nutritional products nor to prevent the exercise of responsible salesmanship in judging customers' needs and recommending products.

And that this Free Conference Committee report be adopted.

For the Senate:

Eck, Chairman
McLane
Keating

For the House:

Darko
Kitselman
Simon

MOTIONS

Representative Driscoll moved that HB 861 be taken from the table in the Committee on Business and Labor and printed and placed on second reading on the 69th legislative day. This is the bill dealing with buying railroads. After debate, Representative Quilici moved the previous question. Motion carried. The Driscoll motion carried. (51-46)

Representative Vincent moved that HB 856 be taken from the table in the Committee on Business and Labor and printed and placed on second reading. This bill deals with the value-added commission. Motion failed. (50-50)

Representative Addy moved that HB 694 be taken from the table in the Committee on Appropriations and printed and placed on second reading. This is the bill dealing with liability insurance reporting. Motion failed. (47-51)

Representative Sands moved that HB 870 and HB 871, the bills raising teachers' salaries in state institution schools, be taken from the Committee on Education and rereferred to the Committee on Appropriations. Motion carried.

Representative Schye moved that SB 321, the bill dealing with mediation of agricultural indebtedness, be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 903, introduced by Grinde, B. Williams. Referred to Committee on Appropriations.

HB 905, introduced by Winslow, Cobb. Referred to Committee on Appropriations.

HB 906, introduced by Ramirez, Fritz. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative M. Hanson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 170 - Representative J. Brown moved that SB 170, third reading copy, be amended as follows:

1. House Human Services and Aging Committee amendments, dated 3/24/87, amendment no. 6, new section 6(3), last sentence.

Strike: "optometry"

Insert: "optometrists"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Moore, Thoft.

Total 2

Absent or not voting: Asay, Giacometto, Hannah.

Total 3

Representatives Keenan and Hannah excused at this time.

Representative Bulger moved that SB 170, third reading copy, be further amended as follows:

1. House Human Services and Aging Committee amendments, dated 3/24/87, amendment no. 2 (inserted material).

Strip: "those drugs approved by the board for use in"

Insert: "those topical drugs, not including corticosteroids, approved by the board for use in"

2. House Human Services and Aging Committee amendment, dated 3/24/87, amendment no. 3 (inserted material).

Strip: "Chronic open angle glaucoma may be treated, but not other forms of glaucoma."

Insert: "Glaucoma may not be treated."

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Darko, Devlin, Fritz, Glaser, Harp, Hayne, Jones, Kadas, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Smith, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 52

Noes: Addy, J. Brown, Campbell, Cody, Compton, Daily, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady,

Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Jenkins, Keller, Kennerly, Kitselman, Menahan, Menke, Miller, Pavlovich, Peterson, Phillips, Poff, Quilici, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Swift, Swysgood, Thoft.

Total 45

Paired: Corne', Sales, Ayes; Hannah, Thoft, Noes.

Excused: Keenan, Moore.

Total 2

Absent or not voting: Iverson.

Total 1

Representative Squires moved that SB 170, third reading copy, be further amended. Amendment failed. (26-66)

Representative J. Brown moved that SB 170, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kennerly, Kitselman, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Whalen, Winslow.

Total 71

Noes: Asay, Brandewie, D. Brown, Cohen, Connelly, Hanson, Harp, Jones, Koehnke, Lory, McCormick, Nelson, O'Connell, Pistoria, Poulsen, Ramirez, Ream, Sales, Smith, Squires, Stratford, Vincent, Wallin, Williams, Mr. Speaker.

Total 25

Paired: Hannah, Thoft, Ayes; Brandewie, Harp, Noes.

Excused: Keenan, Moore.

Total 2

Absent or not voting: Kadas, Stang.

Total 2

Representative Hannah present at this time.

HB 888 - Representative Winslow moved that HB 888 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Keenan, Moore, Thoft.

Total 3

Absent or not voting: Quilici.

Total 1

SB 51 - Representative Mercer moved that SB 51 be concurred in. Representative Rapp-Svrcek made a substitute motion that SB 51, third reading copy, be amended as follows:

1. House Judiciary Committee amendments, dated 3/20/87.

Strip: instructions no. 1, 3, and 4 in their entirety

2. Page 4, line 19.

Strike: "25%"

Insert: "50%"

3. Page 6, line 11.

Strike: "25%"

Insert: "50%"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Kadas, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Campbell, Devlin, Donaldson, Ellison, Giacometto, Grady, Hannah, Hanson, Hayne, Hoffman, Jones, Keller, Menke, Meyers, Miller, Nathe, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Smith, Stratford, Swift, Swysgood, Thomas, Wallin.

Total 30

Excused: Keenan, Moore, Thoft.

Total 3

Absent or not voting: Asay.

Total 1

SB 51, as amended, concurred in as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Addy, Bardanouve, Bradley, D. Brown, Cohen, Connelly, Driscoll, Fritz, Harrington, Kennerly, Menahan, Miles, Nisbet, Pistoria, Raney, Ream, Russell, Squires, Whalen.

Total 19

Excused: Keenan, Moore, Thoft.

Total 3

Absent or not voting: None.

Total 0

SB 88 - Representative Mercer moved that SB 88 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Driscoll, Hansen, Hanson, Kadas, Kennerly, Russell, Whalen.

Total 8

Excused: Keenan, Moore, Thoft.

Total 3

Absent or not voting: Bardanouve.

Total 1

SB 127 - Representative Sands moved that SB 127, third reading copy, be amended as follows:

1. Page 1, line 17.

Following: "student"

Insert: ", other than an individual participating in the air force or other military health profession scholarship program,"

2. Page 2, line 8.

Following: "EITHER"

Insert: ":(a)"

3. Page 2, line 9.

Strike: "IN THE STATE"

4. Page 2, line 10.

Following: "YEARS"

Insert: "in

(i) the state;

(ii) the public health service;

(iii) the Indian health service;

(iv) the armed services of the United States,"

Following: "OR"

Insert: "(b)"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams.

Total 90

Noes: Harrington.

Total 1

Excused: Keenan, Moore, Thoft.

Total 3

Absent or not voting: Corne', Mercer, Raney, Stang, Winslow, Mr. Speaker.

Total 6

Representative Sands moved that SB 127, as amended, be concurred in.

Representative Eudaily excused at this time.

Representative Lory made a substitute motion that SB 127, as amended, be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gould, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Whalen, Winslow, Mr. Speaker.

Total 52

Noes: Bardanouve, Brandewie, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Rehberg, Roth, Sands, Simon, Smith, Swift, Switzer, Swysgood, Thomas, Williams.

Total 43

Paired: Eudaily, Aye; Meyers, No.

Excused: Keenan, Moore, Thoft.

Total 3

Absent or not voting: Kennerly, Wallin.

Total 2

SB 111 - Representative Sands moved that SB 111, third reading copy, be amended as follows:

1. Page 3, line 7.

Following: "Penalty"

Insert: “— no record permitted”

Following: “.”

Insert: “(1)”

2. Page 3, line 8.

Strike: “is” through “fine of”

Insert: “will be fined”

Following: “\$20”

Insert: “, but the violation is not a misdemeanor pursuant to 45-2-101, 46-18-236, 61-8-104, or 61-8-711”

3. Page 3, line 9.

Strike: “conviction for a”

4. Page 3, line 11.

Following: “61-11-203(2)(1).”

Insert: “Bond for this offense is \$20 and no jail sentence may be imposed.”

5. Page 3.

Following: line 11

Insert: “(2) No violation of [section 3] may be recorded or charged against the driver’s record of a person violating [section 3], and no insurance company shall hold a violation of [section 3] against the insured, and there may be no increase in premiums due to a violation of [section 3].”

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne’, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O’Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Eudaily, Keenan, Moore, Thoft.

Total 4

Absent or not voting: Asay, Daily.

Total 2

Representative Eudaily present at this time.

Representative Sands moved that SB 111, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Connelly, Corne’, Daily, Darko, Donaldson, Eudaily, Fritz, Gilbert, Gould, Harp, Harper, Harrington, Hayne, Jones, Kadas, Keenan, Kennerly, Lory, Menahan, Miles, Miller, Nelson, Nisbet, O’Connell, Peck, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell,

Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 55

Noes: D. Brown, Campbell, Cobb, Compton, DeMars, Devlin, Driscoll, Ellison, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Hoffmann, Holliday, Iverson, Jenkins, Keller, Koehnke, McCormick, Manuel, Menke, Mercer, Meyers, Nathe, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Raney, Rapp-Svrcek, Sales, Spaeth, Stang, Swift, Switzer, Swysgood.

Total 41

Paired: Harp, Keenan, Ayes; Giacometto, Hannah, Noes.

Excused: Moore, Thoft.

Total 2

Absent or not voting: Kitselman, Thomas.

Total 2

SB 145 - Representative Simon moved that SB 145 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 90

Noes: Campbell, Cobb, Glaser, Whalen.

Total 4

Excused: Keenan, Moore, Thoft.

Total 3

Absent or not voting: Hannah, Sands, Mr. Speaker.

Total 3

Representative Giacometto excused at this time.

SB 146 - Representative Simon moved that SB 146 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 91

Noes: None.

Total 0

Excused: Giacometto, Keenan, Moore, Thoft.

Total 4

Absent or not voting: Hannah, Lory, Manuel, Pistoria, Mr. Speaker.

Total 5

SB 147 - Representative Simon moved that SB 147 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: None.

Total 0

Excused: Giacometto, Keenan, Moore, Thoft.

Total 4

Absent or not voting: Hannah, Mr. Speaker.

Total 2

Representative Hannah excused at this time.

SB 181 - Representative Grady moved that SB 181 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Ellison, Eudaily, Fritz, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keller, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Peck, Peterson, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Williams, Winslow.

Total 65

Noes: Asay, Brandewie, Campbell, Cobb, DeMars, Devlin, Driscoll, Gilbert, Glaser, Grinde, Hannah, Hoffman, Jenkins, Kennerly, Kitselman, Koehnke, Meyers, Nathe, Patterson, Pavlovich, Phillips, Poff, Sales, Stang, Switzer, Swysgood, Whalen.

Total 27

Paired: Mercer, Aye; Hannah, No.

Excused: Giacometto, Keenan, Moore, Thoft.

Total 4

Absent or not voting: D. Brown, Manuel, Quilici, Mr. Speaker.

Total 4

Representative Miller excused at this time.

Representative Giacometto present at this time.

SB 199 - Representative Nelson moved that SB 199 be concurred in. After debate, Representative Donaldson made a substitute motion that consideration of SB 199 be passed for the day. Motion carried.

Representative Nelson excused at this time.

SB 213 - Representative Brandewie moved that SB 213 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Fritz, Nathe, Sales.

Total 3

Excused: Hannah, Keenan, Miller, Moore, Nelson, Thoft.

Total 6

Absent or not voting: Connelly.

Total 1

SB 223 - Representative Miles moved that SB 223 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Kennerly, Kitselman, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Giacometto, Keller, Koehnke, Sales.

Total 5

Excused: Hannah, Keenan, Miller, Moore, Nelson, Thoft.

Total 6

Absent or not voting: Lory, Squires.

Total 2

SB 235 - Representative Sands moved that consideration of SB 235 be passed for the day because of the absence of the sponsor, Representative Nelson. Motion carried.

SB 246 - Representative Kitselman moved that SB 246, third reading copy, be amended as follows:

1. House Human Services and Aging Committee amendments, dated 3/24/87.

Strip: amendments no. 1 through 4 in their entirety

2. Page 10, line 13.

Following: "estate,"

Strike: "health maintenance organization,"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Corne', Peck, Poulsen, Schye, Stang.

Total 5

Excused: Hannah, Keenan, Miller, Moore, Nelson, Thoft.

Total 6

Absent or not voting: Cody, Nisbet.

Total 2

Representatives Darko and Nisbet excused at this time.

Representative Wallin moved that SB 246, third reading copy, be further amended. Amendment failed. (16-74)

Representative Wallin moved that SB 246, third reading copy, be further amended. Amendment failed. (24-66)

Representative Wallin moved that SB 246, third reading copy, be further amended. Amendment failed. (23-67)

Representative Winslow moved that SB 246, as amended, be concurred in. Representative Gould made a substitute motion that SB 246, as amended, be not concurred in. Motion failed. (25-67)

SB 246, as amended, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Asay, D. Brown, Campbell, Driscoll, Ellison, Gould, Hoffman, Lory, Pavlovich, Peterson, Phillips, Rapp-Svrcek, Sales, Squires, Stang, Strizich, Swysgood, Wallin.

Total 18

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Jones, Smith.

Total 2

Representative Eudaily moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman M. Hanson moved the adoption of the committee report. Report adopted. (75-15)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 20 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Campbell, Cobb, Giacometto, Gilbert, Menke, Meyers, Nathe, Peck, Roth, Thomas.

Total 10

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Gould.

Total 1

HB 373 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Campbell, Giacometto, Nathe.

Total 3

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: None.

Total 0

HB 460 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Campbell, Devlin, Driscoll, Ellison, Giacometto, Meyers, Patterson, Sales, Spaeth, Whalen.

Total 10

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Hansen.

Total 1

HB 538 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Connelly, DeMars, Driscoll, Kadas, Russell, Stang.

Total 6

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Ellison.

Total 1

HB 702 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell,

Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Campbell, Ellison, Glaser, Hanson, Hayne, Jones, Meyers, Stratford.
Total 8

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.
Total 8

Absent or not voting: Lory.
Total 1

HB 744 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Kadas, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Mercer, Miles, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 72

Noes: Asay, Bachini, D. Brown, Devlin, Glaser, Grinde, Hanson, Holliday, Jenkins, Jones, Koehnke, McCormick, Meyers, Nathe, Patterson, Pistoria, Poff, Schye.
Total 18

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.
Total 8

Absent or not voting: Ellison, Menke.
Total 2

HB 849 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 91

Noes: Asay.
Total 1

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.
Total 8

Absent or not voting: None.
Total 0

HB 878 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Campbell, Ellison, Grinde, Hanson, Hayne, Jones, Menke, Meyers, Peck.

Total 9

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: None.

Total 0

HB 886 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 72

Noes: D. Brown, Campbell, Cohen, Corne', DeMars, Driscoll, Hansen, Harper, Harrington, Jones, Kennerly, Lory, Russell, Schye, Smith, Squires, Strizich, Wallin, Whalen.

Total 19

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Poulsen.

Total 1

HJR 44 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: Campbell, Devlin, Giacometto, Gilbert, Grinde, Hayne, Koehnke, Menke, Nathe, Sales, Swift, Switzer, Mr. Speaker.

Total 13

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.
Total 8

Absent or not voting: None.
Total 0

HJR 45 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 88

Noes: Campbell, Cody, Giacometto, Mr. Speaker.
Total 4

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.
Total 8

Absent or not voting: None.
Total 0

SB 53 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Jones, Kadas, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 74

Noes: D. Brown, Campbell, Cobb, Cody, Giacometto, Gilbert, Grinde, Hansen, Iverson, Jenkins, Kitselman, Nathe, Peck, Stang, Strizich, Swysgood, Vincent.
Total 17

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.
Total 8

Absent or not voting: Hoffman.
Total 1

HB 69, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke,

Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: D. Brown, Campbell, Cobb, Giacometto, Sales, Swift.

Total 6

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Connelly, Poff, Spaeth, Strizich.

Total 4

HB 121, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: D. Brown, Campbell, Giacometto, Sales.

Total 4

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Hansen, Meyers.

Total 2

HB 363, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell.

Total 1

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: None.

Total 0

HB 397, Senate amendments, concurred in as follows:

Ayes: Asay, Bachini, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Addy, Bardanouve, Bradley, D. Brown, Bulger, Cohen, Connelly, Driscoll, Giacometto, Hansen, Harper, Kadas, Meyers, Miles, Peck, Raney, Ream, Russell, Schye, Squires, Strizich, Whalen.

Total 22

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Poulsen.

Total 1

HB 566, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Meyers.

Total 1

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: None.

Total 0

HB 804, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 87

Noes: Campbell, Nathe, Raney.

Total 3

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Hansen, Mr. Speaker.

Total 2

HB 823, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Giacometto, Kadas, Thomas.

Total 4

Excused: Darko, Hannah, Keenan, Miller, Moore, Nelson, Nisbet, Thoft.

Total 8

Absent or not voting: Devlin, Driscoll, Mercer.

Total 3

MOTIONS

Representative Donaldson moved that HB 889, which just came out of the Committee on Agriculture, be rereferred to the Committee on Appropriations. This is the Montana Growth Through Agriculture Act. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Eudaily moved that the House adjourn until 10:00 a.m., March 28, 1987.

Motion carried.

House adjourned at 8:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SIXTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 28, 1987

House Chambers
State Capitol

House convened at 10:15 a.m., Mr. Speaker in the Chair. Invocation by Representative Asay. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah, Keenan, Moore, and Thoft, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/28/87

Correctly printed: HB 275, HB 436, HB 599, HB 754, HB 861, HB 867, HB 873, HB 889, HJR 47, HJR 49.

Correctly engrossed: HB 888, SB 51, SB 66, SB 88, SB 92, SB 102, SB 121, SB 145, SB 146, SB 147, SB 164, SB 170, SB 181, SB 210, SB 213, SB 223, SB 252, SB 258, SB 320, SB 331, SB 369.

Correctly enrolled: HB 193, HB 198, HB 231, HB 358, HB 402, HB 449, HB 467, HB 537, HB 576, HB 651, HB 729, HB 820, HJR 28.

3/27/87

Examined by the sponsor and found to be correct:

HB 193 - Nathe	HB 537 - Patterson
HB 198 - Roth	HB 576 - Eudaily
HB 231 - Fritz	HB 651 - Jenkins
HB 358 - Bardanouve	HB 729 - Winslow
HB 402 - Strizich	HB 820 - Fritz
HB 449 - Marks	HJR 28 - Driscoll
HB 467 - Ream	

Signed by the Speaker at 3:00 p.m.: SB 118, SB 136, SB 176.

Signed by the Speaker at 4:15 p.m.: HB 193, HB 198, HB 231, HB 358, HB 402, HB 449, HB 467, HB 537, HB 576, HB 651, HB 729, HB 820, HJR 28.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman):

3/27/87

Adverse Committee Reports

HB 10, statement of intent attached, do not pass. Chairman Compton moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, Campbell, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Harper, Harrington, Hayne, Holliday, Iverson, Kitselman, Koehnke, McCormick, Menahan, Menke, Meyers, Nathe, Nelson, Nisbet, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Squires, Stang, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 54

Noes: Asay, Brandewie, Bulger, Cobb, Daily, Driscoll, Ellison, Giacometto, Grady, Hansen, Hanson, Harp, Jenkins, Jones, Kadas, Keller, Kennerly, Mercer, Miles, Miller, O'Connell, Patterson, Pavlovich, Peterson, Russell, Schye, Smith, Spaeth, Stratford, Strizich, Swift, Swysgood, Thomas, Winslow.

Total 34

Excused: Hannah, Keenan, Moore, Thoft.

Total 4

Absent or not voting: Bardanouve, J. Brown, Connelly, Hoffman, Lory, Manuel, Poulsen, Switzer.

Total 8

SB 142, third reading copy, be amended as follows:

1. Title, line 9.

Following: "PROVIDING"

Insert: "AN APPLICABILITY DATE AND"

2. Page 1, lines 14 and 15.

Following: "means" on line 14

Strike: remainder of line 14 through "15-7-202" on line 15

Insert: "real property that is principally used for the production of livestock, poultry, field crops, fruit, or other animal or vegetable matter for food or fiber"

3. Page 1, lines 23 and 24.

Following: "LENDER," on line 23

Insert: "or"

Following: "AGENCY" on line 24

Strike: remainder of line 24 in its entirety

Insert: "that"

4. Page 2, line 1.

Strike: "OR TRUST INDENTURE"

5. Page 2, line 10.

Following: "owner"

Insert: "if such owner has financial resources and farm management skills and experience to assure a reasonable prospect of success in the proposed farming operation. The offer to sell or lease land to the immediately preceding owner must be"

6. Page 2.

Following: line 24

Insert: "(4) This section does not apply to foreclosed agricultural land if such land is owned by the state pursuant to The Enabling Act (Act of February 22, 1889, ch. 180, 25 Stat. 676)."

7. Page 4, line 21 through line 6, page 5.

Strike: section 5 in its entirety

Insert: "Section 5. Applicability. This act applies to agricultural land acquired by foreclosure or by judgment in satisfaction of debt after the effective date of this act."

Renumber: subsequent sections

And, as amended, be not concurred in.

Chairman Compton moved to adopt the committee report. Representative Corne' made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading today. After debate, Representative Harp moved the previous question. Motion carried. The Corne' motion carried. (47-44)

APPROPRIATIONS (Donaldson, Chairman):

3/27/87

HB 890, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "EXTRAORDINARY"

Insert: "CERTAIN"

2. Title.

Following: line 12
Insert: "7-6-2511,"

3. Page 3, line 19.

Strike: "The"

Insert: "Unless a county is receiving state reimbursement under 3-5-901, the"

4. Page 3, line 21.

Following: "charges."

Insert: "If state reimbursement is to be received, the reporter shall submit the certificate to the department of commerce which, in accordance with 3-5-902, is responsible for the prompt payment of all or a portion of the amount due the reporter. If the department, in accordance with 3-5-902, pays none or only a portion of the amount due, the county shall pay the balance upon receipt of a statement from the reporter."

5. Page 4, line 14.

Following: "county"

Insert: ". However, if the county is receiving state reimbursement for criminal costs under 3-5-901, the transcript may be furnished at state expense payable under 3-5-901"

6. Page 4, line 25.

Following: ","

Insert: "and"

7. Page 5, line 1.

Strike: " , and"

Insert: " ,"

8. Page 5, line 2.

Strike: subsection (e) in its entirety

9. Page 5, lines 7 through 9.

Strike: "after" on line 7 through "5]" on line 9

10. Page 6, lines 7 through 9.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

11. Page 6, line 16 through page 7, line 13.

Strike: section 5 in its entirety

Insert: "NEW SECTION. Section 5. Use of motor vehicle funds — reserve funds. (1) Motor vehicle fees received by a county pursuant to 3-5-901 or 61-3-509 may be spent only for district court costs. Unless the money was received by a county as a specific payment for a criminal cost under 3-5-901, all motor vehicle fees received directly by a county pursuant to 61-3-509 or indirectly through 3-5-901 may be spent in the year of receipt, in subsequent years, or prospectively by being pledged as security for debt. For use in subsequent fiscal years, funds may be placed in a reserve fund to be used later as may be necessary for the operation of the district court.

(2) The money in the reserve fund authorized by this section is not a cash balance subject to the provisions of 7-6-2319 or 7-6-2326, and the reserve fund does not constitute a lapsed appropriation subject to 7-6-2330."

12. Page 8.

Following: line 18

Insert: "Section 8. Section 7-6-2511, MCA, is amended to read:

"7-6-2511. County levy for district court expenses. The governing body of each county may each year levy and collect a tax on the taxable property of the county for all district court costs; ~~except those listed in 3-5-211, 3-5-213, and 3-5-215.~~ The tax may not exceed 6 mills in the first- and second-class counties, 5 mills in third- and fourth-class counties, and 4 mills in fifth-, sixth-, and seventh-class counties. These expenses include but are not limited to salary and benefits for court clerks, court reporters, youth probation officers, and other employees of the district court."

Renumber: subsequent sections

13. Page 11, line 7.

Strike: ", of keeping him there,"

14. Page 15, line 13.

Strike: "12"

Insert: "13"

Strike: "14, 16"

Insert: "15, 17"

15. Page 15, line 15.

Strike: "11, 15, and 17"

Insert: "12, 16, and 18"

And, as amended, do pass. Report adopted.

JUDICIARY (Lory, Chairman):

3/27/87

Adverse Committee Reports

SB 173, be not concurred in. Chairman Lory moved to adopt the committee report. Representative Miles made a substitute motion that the adverse committee report be rejected and the bill be printed and placed on second reading. Motion failed. (35-60)

The adverse committee report was adopted as follows:

Ayes: Addy, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miller, Nelson, Patterson, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Simon, Smith, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Whalen, Williams, Winslow, Mr. Speaker.

Total 62

Noes: Asay, Bachini, Bardanouve, Bradley, J. Brown, Connelly, Corne', Daily, Darko, Giacometto, Hansen, Harper, Kadas, Keller, Kennerly, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Peck, Poff, Poulsen, Raney, Ream, Russell, Sands, Schye, Squires, Stang, Stratford, Vincent, Wallin.

Total 34

Paired: Hannah, Thoft, Ayes; Menahan, Vincent, Noes.

Excused: Keenan, Moore.

Total 2

Absent or not voting: Nathe, Spaeth.

Total 2

SB 372, as amended, be not concurred in. Chairman Lory moved to adopt the committee report. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Squires, Stratford, Swift, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Addy, D. Brown, Cohen, Connelly, Daily, Darko, Driscoll, Fritz, Harrington, Kadas, Kennerly, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Ream, Russell, Schye, Spaeth, Stang, Switzer, Vincent, Whalen.

Total 27

Excused: Hannah, Keenan, Moore, Thoft.

Total 4

Absent or not voting: Harper, Nathe, Strizich.

Total 3

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 94, 134, 143, 165, 175, 183, 246, 249, 266, 298, 345, 349, 396, 401, 404, 411, 438, 439, 507, 558, 591, 664, 691, 738, 783, and 822 on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative Rapp-Svrcek moved that HB 659 be taken from the table in the Committee on Education and printed and placed on second reading. This is the university consolidation bill. After debate, Representative Daily moved the previous question. Motion carried. The Rapp-Svrcek motion failed. (24-65)

Representative J. Brown moved that SB 198, the branch-banking bill, be taken from the table in the Committee on Business and Labor and printed and placed on second reading this day. After debate, Representative Cody moved the previous question. Motion carried. The Brown motion failed. (44-56)

Representative Daily moved that the House move to Order of Business No. 7. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 904, introduced by Harp, Donaldson, Miller, Winslow. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 315 - Representative Marks moved that SB 315 be placed below SB 253 on the second reading board in the hopes that the House's need for lunch will prevent the debate from going on endlessly. Motion carried.

HB 873 - Representative Mercer moved that HB 873 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: Ellison.

Total 1

Excused: Hannah, Keenan, Moore, Thoft.

Total 4

Absent or not voting: Mr. Speaker.

Total 1

SB 250 - Representative Spaeth moved that SB 250 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: Devlin, Switzer.

Total 2

Excused: Hannah, Keenan, Moore, Thoft.

Total 4

Absent or not voting: Grady, Mr. Speaker.

Total 2

SB 253 - Representative Peck moved that SB 253 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hannah, Keenan, Moore, Thoft.

Total 4

Absent or not voting: None.

Total 0

SB 315 - Representative Glaser moved that SB 315 be concurred in.
Representative Whalen made a substitute motion that SB 315, third reading copy, be amended. Amendment failed. (36-59)

Representative Whalen made a substitute motion that SB 315, third reading copy, be amended. Amendment failed. (30-64)

Representative Whalen made a substitute motion that SB 315, third reading copy, be amended. Amendment failed. (27-66)

Representative Whalen made a substitute motion that SB 315, third reading copy, be amended. Amendment failed. (38-56)

SB 315 concurred in as follows:

Ayes: Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Addy, Asay, Bradley, D. Brown, Cobb, Corne', Daily, Driscoll, Hansen, Harper, Harrington, Kennerly, McCormick, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Pistoria, Ream, Russell, Schye, Squires, Strizich, Whalen.

Total 25

Paired: Hannah, Thoft, Ayes; Daily, Harrington, Noes.

Excused: Keenan, Moore.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (77-13)

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 12:37 p.m.

House reconvened at 2:30 p.m.

Mr. Speaker in the Chair.

Representatives Grinde, Mercer, and the Committee on Appropriations excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 257 - Representative Harp moved that SB 257 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Strizich, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 63

Noes: Asay, Ellison, Giacometto, Gilbert, Hayne, Hoffman, Jenkins, Jones, Peterson, Roth, Sales, Stratford, Swysgood, Wallin.

Total 14

Excused: Bardanouve, Bradley, Devlin, Donaldson, Grinde, Hannah, Iverson, Keenan, Menahan, Mercer, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Rehberg, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 23

Absent or not voting: None.

Total 0

SB 261 - Representative D. Brown moved that SB 261 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 74

Noes: None.

Total 0

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Grinde, Hannah, Iverson, Keenan, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Rehberg, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 26

Absent or not voting: None.

Total 0

SB 279 - Representative Fritz moved that SB 279 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 75

Noes: None.

Total 0

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Grinde, Hannah, Keenan, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Rehberg, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 25

Absent or not voting: None.

Total 0

SB 295 - Representative Thomas moved that SB 295 be placed below SB 161 on the second reading board because of the absence of the sponsor, Representative Devlin. Motion carried.

SB 302 - Representative Williams moved that SB 302 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 75

Noes: None.

Total 0

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Grinde, Hannah, Keenan, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Rehberg, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 25

Absent or not voting: None.

Total 0

SB 303 - Representative Bulger moved that SB 303 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 73

Noes: Giacometto, Hannah, Sales.

Total 3

Paired: Eudaily, Aye; Hannah, No.

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Grinde, Keenan, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Rehberg, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 24

Absent or not voting: None.

Total 0

SB 318 - Representative Daily moved that SB 318 be placed below SB 161 on the second reading board because of the absence of the sponsor, Representative Pavlovich. Motion carried.

SB 329 - Representative Simon moved that SB 329 be placed below SB 161 on the second reading board because of the absence of Representative Devlin who wished to speak on it. Motion carried.

SB 338 - Representative Spaeth moved that SB 338 be placed below SB 341 on the second reading board for amendment. Motion carried.

The Appropriations Committee returning at this time.

SB 341 - Representative Simon moved that SB 341 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 83

Noes: None.

Total 0

Excused: Bradley, Connelly, Donaldson, Grinde, Hannah, Keenan, Manuel, Menke, Mercer, Miller, Moore, Nathe, Thoft.

Total 13

Absent or not voting: Iverson, Peck, Quilici, Winslow.

Total 4

Representative Quilici excused at this time.

SB 338 - Representative Spaeth moved that SB 338, third reading copy, be amended. Amendment failed. (32-59)

Representative Whalen moved that SB 338, third reading copy, be amended. Amendment failed. (14-75)

Representative Rapp-Svrcek moved that SB 338 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Mr. Speaker.

Total 1

SB 344 - Representative Sands moved that SB 344 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cody, Connelly, Devlin, Ellison, Hoffman, Jenkins, Jones, Swift, Switzer.

Total 9

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: None.

Total 0

SB 360 - Representative Campbell moved that SB 360, third reading copy, be amended as follows:

1. Page 2, line 7.

Strike: "the public body,"

1. Page 2, line 7.

Following: "contractor"

Strike: ", and the licensed surety company"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Darko, Devlin, Donaldson, Giacometto, Glaser, Gould, Grady, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Menke, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Squires, Stratford, Swift, Switzer, Swysgood, Vincent, Wallin.

Total 53

Noes: Addy, Bachini, Bulger, Cody, Cohen, Corne', Daily, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Harper, Harrington, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Miles, Nisbet, Pavlovich, Peck, Ramirez, Ream, Schye, Smith, Spaeth, Stang, Strizich, Thomas, Whalen, Williams.

Total 35

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: D. Brown, Manuel, Sales, Winslow, Mr. Speaker.

Total 5

Representative Spaeth moved that SB 360, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Koehnke.

Total 1

SB 362 - Representative Nathe moved that SB 362 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cody.

Total 1

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: None.

Total 0

SB 370 - Representative Peck moved that SB 370 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Bradley.

Total 1

SB 151 - Representative Iverson moved that the free conference committee report on SB 151 be adopted. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Addy, Bulger, Cohen, Connelly, Darko, Glaser, Hansen, Harper, Meyers, Miles, Raney, Ream, Russell, Strizich, Wallin.

Total 15

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Poff.

Total 1

SB 160 - Representative Cobb moved that SB 160 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Bardanouve, Daily, Fritz.

Total 3

SB 161 - Representative Bradley moved that SB 161 be concurred in. Representative Marks made a substitute motion that SB 161, third reading copy, be amended as follows:

1. Title, line 4.

Strike: "REPEALING"

Insert: "EXTENDING"

2. Title, line 6.

Strike: "AND MAKING THE TWO POSITIONS PERMANENT"

Insert: "FOR AN ADDITIONAL 8 YEARS"

3. Title, line 7.

Strike: "REPEALING"

Insert: "AMENDING"

4. Page 1, line 10.

Strike: "Repealer."

5. Page 1, line 11.

Strike: "repealed"

Insert: "amended to read:

"Section 5. Effective period. This act is effective until the first Monday of January, ~~1989~~ 1997, at which time the number of associate justices authorized by this act shall revert to four. The code commissioner is directed to make appropriate changes in the Montana Code Annotated to reflect the intent of this section."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, McCormick, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poulsen, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 56

Noes: Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Gould, Hansen, Harper, Harrington, Holliday, Kadas, Kennerly, Koehnke, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Ramirez, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 41

Paired: Grinde, Hannah, Mercer, Thoft, Ayes; D. Brown, Hansen, Harrington, Ream, Noes.

Excused: Keenan, Moore, Quilici.

Total 3

Absent or not voting: None.

Total 0

SB 161, as amended, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory,

Manuel, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Campbell, Cobb, Driscoll, Glaser, Harrington, Jenkins, McCormick, Menahan, Patterson, Sales, Swysgood.

Total 11

Paired: Quilici, Aye; Driscoll, No.

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Thoft.

Total 6

Absent or not voting: Whalen.

Total 1

Representative Eudaily moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (84-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 880 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Campbell, Cobb.

Total 2

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: D. Brown, O'Connell.

Total 2

HB 881 passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Bachini, Bardanouve, D. Brown, Campbell, Devlin, Glaser, Hayne, Jenkins, Menahan, Menke, Nathe, Patterson, Peck, Roth, Sales, Switzer, Swysgood.

Total 17

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Hansen, Harrington, Jones.

Total 3

HB 888 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Giacometto, Meyers.

Total 3

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: None.

Total 0

SB 49 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cohen, Driscoll, Fritz, Pavlovich, Whalen.

Total 5

Paired: Mercer, Quilici, Ayes; Driscoll, Whalen, Noes.

Excused: Grinde, Hannah, Keenan, Moore, Thoft.

Total 5

Absent or not voting: Ellison, O'Connell.

Total 2

SB 66 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 68

Noes: Bardanouve, Bulger, Cody, Cohen, Darko, DeMars, Driscoll, Fritz, Harper, Holliday, Kennerly, Meyers, Miles, Nisbet, Poff, Raney, Rapp-Svrcek, Russell, Schye, Spaeth, Squires, Stang, Strizich, Whalen.

Total 24

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 88 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bradley, Cobb, Driscoll, Hanson, Miller, Russell, Whalen.

Total 7

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 92 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Menke, Peck, Roth.

Total 4

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 102 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 121 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Fritz.

Total 2

Paired: Mercer, Aye; Cobb, No.

Excused: Grinde, Hannah, Keenan, Moore, Quilici, Thoft.

Total 6

Absent or not voting: O'Connell.

Total 1

SB 145 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Cobb, Driscoll, Giacometto, Nathe, Whalen.

Total 6

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell, Strizich.

Total 2

SB 146 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 147 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 164 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Giacometto, Hoffman, Peterson, Whalen.

Total 4

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Hansen, O'Connell.

Total 2

SB 181 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Jones, Kadas, Keller, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nelson, Nisbet, Peck, Peterson, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 64

Noes: Asay, D. Brown, Campbell, DeMars, Devlin, Driscoll, Gilbert, Glaser, Hoffman, Holliday, Iverson, Jenkins, Kennerly, Kitselman, Koehnke, Meyers, Nathe, Patterson, Pavlovich, Phillips, Poff, Russell, Sales, Stang, Strizich, Swysgood, Whalen.

Total 27

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: Miles, O'Connell.

Total 2

SB 213 concurred in as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne,

Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 86

Noes: Addy, Driscoll, Fritz, Giacometto, Nathe, Sales.
Total 6

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.
Total 7

Absent or not voting: O'Connell.
Total 1

SB 223 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 85

Noes: Campbell, Fritz, Giacometto, Glaser, Koehnke, Nathe, Sales.
Total 7

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.
Total 7

Absent or not voting: O'Connell.
Total 1

SB 252 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Driscoll, Meyers, Peck.
Total 3

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.
Total 7

Absent or not voting: O'Connell.

Total 1

SB 258 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 320 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Campbell, Cobb, Glaser, Holliday, Jenkins, Patterson, Switzer, Swysgood.

Total 8

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.

Total 7

Absent or not voting: O'Connell.

Total 1

SB 369 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye,

Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Campbell, Daily, DeMars, Driscoll, Fritz, Giacometto, Meyers, Nathe, Poulsen, Whalen.
Total 10

Excused: Grinde, Hannah, Keenan, Mercer, Moore, Quilici, Thoft.
Total 7

Absent or not voting: O'Connell.
Total 1

MOTIONS

Representative O'Connell excused at this time.

Representative Eudaily moved that HB 904 be taken from the Committee on Rules and rereferred to the Committee on Appropriations. This is a bill by Representative Harp which looks quite a bit like HB 842, which was killed last week, and contains a \$130 million tax increase. Motion carried. (65-31)

Representative Bardanoue moved that he be allowed to change his vote on SB 66 on third reading today from yes to no, as it would not change the outcome. Motion carried.

Representative Kitselman moved that HB 884 be taken from the subcommittee in the Committee on Business and Labor and rereferred to the Committee on Appropriations. This is the bill by Representative Smith that deals with the unfunded liability for Workers' Compensation. Motion carried.

Representatives Miles and Meyers excused at this time.

Representative Pavlovich moved that HB 38 be taken from the Committee on Appropriations and printed and placed on second reading. This is a veterans' preference bill. After debate, Representative Raney moved the previous question. Motion carried. The Pavlovich motion carried. (54-42)

Representative Sands moved that the House reconsider its action in failing to pass SB 177 on second reading yesterday. This bill dealt with the WICHI-WAMI payback. After debate, Representative Daily moved the previous question. Motion carried. The Sands motion failed. (44-52)

Representative Daily moved that the House move to Order of Business No. 8. Motion carried.

Representative Bulger excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Daily excused at this time.

SB 295 - Representative Devlin moved that SB 295, third reading copy, be amended as follows:

1. Title, line 12.

Following: "EXAMINATION"

Strike: "CERTAIN"

2. Page 3, line 23.

Following: "certification"

Strike: "before January 1, 1988"

Amendment passed as follows:

Ayes: Asay, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Wallin, Williams, Winslow.

Total 62

Noes: Addy, Bachini, Bardanouve, Cody, Cohen, Connelly, Corne', Darko, DeMars, Hansen, Harper, Harrington, Kadas, Kennerly, Peck, Peterson, Raney, Ream, Russell, Simon, Stang, Thomas, Vincent, Whalen.

Total 24

Excused: Bulger, Daily, Grinde, Hannah, Keenan, Mercer, Meyers, Miles, Moore, O'Connell, Quilici, Thoft.

Total 12

Absent or not voting: Driscoll, Mr. Speaker.

Total 2

Representative Devlin moved that SB 295, as amended, be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Wallin, Whalen, Williams, Winslow.

Total 67

Noes: Addy, Bardanouve, Bradley, Cobb, Cody, Corne', Hansen, Harper, Harrington, Koehnke, Peterson, Raney, Rapp-Svrcek, Ream, Spaeth, Squires, Stang, Thomas, Vincent.

Total 19

Excused: Bulger, Daily, Grinde, Hannah, Keenan, Mercer, Meyers, Miles, Moore, O'Connell, Quilici, Thoft.

Total 12

Absent or not voting: Driscoll, Mr. Speaker.

Total 2

SB 318 - Representative Kitselman moved that SB 318, third reading copy, be amended as follows:

1. Title, line 6.

Following: "CODE"

Insert: “, EXCEPT THE MINIMUM AGE PROVISIONS,”

2. Page 10.

Following: line 9

Insert: “NEW SECTION. Section 5. Age limit applies to sale of candy containing alcohol. No person shall sell, give, or otherwise supply candy filled with or containing up to 5% of alcohol by volume to any person below the minimum age provided in 16-6-305.”

Renumber: subsequent section

3. Page 10.

Following: line 14

Insert: “NEW SECTION. Section 7. Codification instruction. Section 5 is intended to be codified as an integral part of Title 16, chapter 6, part 3, and the provisions of Title 16, chapter 6, part 3, apply to section 5.”

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Miller, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 78

Noes: Fritz, Giacometto, McCormick, Menahan, Ream, Switzer.

Total 6

Excused: Bulger, Daily, Grinde, Hannah, Keenan, Mercer, Meyers, Miles, Moore, O'Connell, Quilici, Thoft.

Total 12

Absent or not voting: D. Brown, Nathe, Poulsen, Mr. Speaker.

Total 4

Representative Pavlovich moved that SB 318, as amended, be concurred in. Motion failed. (28-65)

Representative Eudaily moved that SB 318, as amended, be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Ellison, Eudaily, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 65

Noes: Bradley, D. Brown, J. Brown, Campbell, Daily, DeMars, Devlin, Driscoll, Fritz, Giacometto, Glaser, Harrington, Jenkins, Jones, Kadas, Keenan, McCormick, Menahan, Miller, Nisbet, Patterson, Pavlovich, Pistoria, Quilici, Sales, Simon, Smith, Spaeth, Strizich, Whalen.

Total 30

Paired: Grinde, Hannah, Mercer, Meyers, O'Connell, Schye, Thoft, Ayes; D. Brown, Daily, Driscoll, Harrington, Keenan, McCormick, Quilici, Noes.

Excused: Bulger, Miles, Moore.

Total 3

Absent or not voting: Kennerly, Mr. Speaker.

Total 2

SB 329 - Representative Nathe moved that SB 329, third reading copy, be amended as follows:

1. House Natural Resources Committee amendments, dated 3/23/87, instruction no. 8, line 12 (the inserted material).

Following: "consistent with 7-22-2151"

Insert: ". The department of state lands assumes any levy under 7-22-2142 in natural areas, lessee is not responsible for fire suppression costs in natural areas, and lessee is not responsible for keeping natural areas free of garbage and debris"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: D. Brown, Cohen, Nisbet, Poff.

Total 4

Excused: Bulger, Daily, Grinde, Hannah, Keenan, Mercer, Meyers, Miles, Moore, O'Connell, Quilici, Thoft.

Total 12

Absent or not voting: Addy, Fritz, Pavlovich, Poulsen, Mr. Speaker.

Total 5

Representative Cohen excused at this time.

Representative Simon moved that SB 329, as amended, be concurred in. Representative Patterson made a substitute motion that SB 329, third reading copy, be further amended as follows:

1. Page 3, line 14.

Strike: "shall"

Insert: "may"

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Connelly, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Manuel, Menke, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Corne', Darko, Driscoll, Grady, Hansen, Harrington, Kennerly, Lory, McCormick, Menahan, Nisbet, Peck, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 31

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Keenan, Mercer, Meyers, Miles, Moore, O'Connell, Quilici, Thoft.

Total 13

Absent or not voting: Fritz, Hoffman, Pavlovich, Thomas, Williams.

Total 5

Representative O'Connell present at this time.

SB 329, as amended, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Harp, Harper, Harrington, Iverson, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Menahan, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Strizich, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 62

Noes: Campbell, Cobb, Cody, DeMars, Devlin, Ellison, Giacometto, Glaser, Hanson, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Koehnke, Manuel, Menke, Nathe, Patterson, Phillips, Poff, Sales, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Wallin.

Total 30

Paired: Bulger, Cohen, Keenan, Miles, Moore, Ayes; Campbell, Giacometto, Jones, Nathe, Stratford, Noes.

Excused: Daily, Grinde, Hannah, Mercer, Meyers, Quilici, Thoft.

Total 7

Absent or not voting: Miller.

Total 1

SB 175 - Representative Bradley moved that SB 175 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 84

Noes: None.

Total 0

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.

Total 12

Absent or not voting: Hayne, Poulsen, Schye, Williams.

Total 4

SB 189 - Representative Strizich moved that SB 189 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Bradley, Campbell, Cobb, Giacometto, Glaser, Hannah, Harrington, Keller, Poulsen, Raney, Sales.

Total 11

Paired: Keenan, Rapp-Svrcek, Ayes; Giacometto, Hannah, Noes.

Excused: Bulger, Cohen, Daily, Grinde, Mercer, Meyers, Miles, Moore, Quilici, Thoft.

Total 10

Absent or not voting: None.

Total 0

Representative Harrington excused at this time.

SB 226 - Representative Winslow moved that SB 226 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 83

Noes: None.

Total 0

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.

Total 13

Absent or not voting: Fritz, Pavlovich, Poulsen, Williams.

Total 4

SB 289 - Representative Gould moved that SB 289 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 84

Noes: None.
Total 0

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.
Total 13

Absent or not voting: Nathe, Nisbet, Poulsen.
Total 3

SB 298 - Representative Bardanouve moved that SB 298 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 82

Noes: Bachini, Harper, Phillips.
Total 3

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.
Total 13

Absent or not voting: Poulsen, Mr. Speaker.
Total 2

SB 359 - Representative Thomas moved that SB 359 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,

Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: None.

Total 0

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.

Total 13

Absent or not voting: Mr. Speaker.

Total 1

SB 361 - Representative Strizich moved that SB 361 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: None.

Total 0

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.

Total 13

Absent or not voting: Mr. Speaker.

Total 1

SB 152 - Representative Darko moved that SB 152 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 82

Noes: Asay, Giacometto, Sales.

Total 3

Paired: Bulger, Aye; Giacometto, No.

Excused: Cohen, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.

Total 12

Absent or not voting: Fritz, Pavlovich, Mr. Speaker.

Total 3

SB 219 - In Representative Daily's absence, Representative Driscoll moved that SB 219, third reading copy, be amended as follows:

1. Page 2, line 1.

Following: "section"

Insert: "and who allows members of the general public reasonable opportunity to hunt on such land"

2. House Fish and Game Committee amendments, dated 3/13/87, instruction no. 6, subsection (3), line 5.

Following: "section"

Insert: "and who allows members of the general public reasonable opportunity to hunt on such land"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Grady, Hansen, Harrington, Holliday, Iverson, Jenkins, Kadas, Kennerly, Koehnke, McCormick, Manuel, Menahan, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Whalen, Williams.

Total 50

Noes: Asay, Brandewie, Campbell, Cobb, DeMars, Ellison, Giacometto, Gilbert, Glaser, Gould, Hanson, Harp, Harper, Hayne, Hoffman, Jones, Keller, Kitselman, Lory, Menke, Miller, Nelson, Patterson, Peterson, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Swift, Swysgood, Wallin, Mr. Speaker.

Total 35

Paired: Daily, Harrington, Ayes; Asay, Giacometto, Noes.

Excused: Bulger, Cohen, Grinde, Hannah, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Thoft.

Total 11

Absent or not voting: Bradley, Pistoria, Switzer, Winslow.

Total 4

Representative Brandewie moved that SB 219, as amended, be concurred in.

Representatives Bradley, Cobb, Fritz, and Simon excused at this time.

Representative Ream made a substitute motion that SB 219, as amended, be not concurred in. Motion failed. (36-45)

SB 219, as amended, concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, D. Brown, Campbell, Cody, Compton, DeMars, Devlin, Donaldson, Driscoll, Giacometto, Glaser, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rehberg, Roth, Russell, Sands, Smith, Stratford, Switzer, Swysgood, Winslow, Mr. Speaker.

Total 49

Noes: Bachini, J. Brown, Connelly, Darko, Eudaily, Gilbert, Gould, Grady, Hansen, Harper, Hoffman, Kadas, Kitselman, Menahan, Menke, Peck, Poulsen, Rapp-Svrcek, Ream, Sales, Schye, Spaeth, Squires, Stang, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams.

Total 31

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Simon, Thoft.

Total 17

Absent or not voting: Corne', Ellison, O'Connell.

Total 3

SB 241 - Representative Brandewie moved that SB 241 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Whalen.

Total 1

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Simon, Thoft.

Total 17

Absent or not voting: D. Brown, Jones.

Total 2

SB 139 - Representative Grady moved that SB 139 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Driscoll, Whalen.

Total 2

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Simon, Thoft.

Total 17

Absent or not voting: Miller, Squires.

Total 2

SB 187 - Representative Stang moved that SB 187, third reading copy, be amended as follows:

1. Title, line 9.

Following: “,”

Insert: “ESTABLISHING A 55 MILE PER HOUR SPEED LIMIT ON THE OPERATION OF SPECIAL COMBINATION VEHICLES,”

2. Title, line 12.

Following: “SECTIONS”

Insert: “61-8-312,”

3. Page 2.

Following: line 2

Insert: “Section 1. Section 61-8-312, MCA, is amended to read:

“61-8-312. Special speed limitations on trucks, truck tractors, motor-driven cycles, and vehicles towing house trailers. (1) No person shall operate any truck or truck tractor the gross weight of which exceeds 8,000 pounds at a speed greater than 65 miles per hour on those completed sections of interstate and four-lane divided highways and 60 miles per hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit shall not exceed that of automobiles as stated in 61-8-303.

(2) No person shall operate any truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124(4) at a speed greater than 55 miles per hour.

~~(2)(3)~~ No person shall operate any motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such motor-driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

~~(3)(4)~~ No person shall operate a vehicle which is towing a house-trailer at a speed greater than a maximum of 50 miles per hour.””

Renumber: subsequent sections

4. Page 7, line 19.

Strike: “3 and”

Following: “4”

Insert: “and 5”

5. Page 7, line 21.

Strike: “3 and”

Following: “4”

Insert: “and 5”

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Cody, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Hansen, Harper, Holliday, Kadas, Kennerly, Koehnke, Menahan, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Mr. Speaker.

Total 46

Noes: Asay, Campbell, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Lory,

McCormick, Manuel, Menke, Miller, Nathe, Patterson, Peterson, Phillips, Sands, Smith, Swift, Switzer, Swysgood, Thomas.

Total 31

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Simon, Thoft.

Total 17

Absent or not voting: Brandewie, Compton, Devlin, Iverson, Williams, Winslow.

Total 6

Representative Winslow excused at this time.

Representative Harper moved that SB 187, third reading copy, be further amended. Amendment failed. (35-44)

Representative Spaeth moved that SB 187, third reading copy, be further amended as follows:

1. Title, line 13.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 7.

Following: line 23

Insert: "Section 7. Termination date. This act shall terminate on July 1, 1989."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, J. Brown, Cody, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Hansen, Harper, Holliday, Kadas, Koehnke, Menahan, Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Whalen, Williams, Mr. Speaker.

Total 46

Noes: Asay, D. Brown, Campbell, Compton, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, McCormick, Manuel, Menke, Miller, Nathe, Patterson, Sands, Smith, Swift, Switzer, Swysgood, Thomas, Wallin.

Total 32

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Quilici, Simon, Thoft, Winslow.

Total 18

Absent or not voting: Brandewie, Harp, Lory, O'Connell.

Total 4

Representative Whalen moved that SB 187, third reading copy, be further amended. Amendment failed. (20-58)

Representative Swysgood moved that SB 187, as amended, be concurred in. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, McCormick, Manuel, Menke, Meyers, Miller, Moore, Nathe, Patterson, Peterson, Phillips, Quilici, Ramirez, Ream, Rehberg, Roth, Sales,

Sands, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bardanouve, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Eudaily, Grinde, Hansen, Harper, Holliday, Keenan, Koehnke, Lory, Menahan, Mercer, Miles, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Russell, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 41

Paired: Brandewie, Gilbert, Meyers, Moore, Quilici, Swysgood, Thomas, Winslow, Ayes; Bulger, Cohen, Grinde, Harper, Keenan, Mercer, Miles, Vincent, Noes.

Excused: Bradley, Cobb, Daily, Fritz, Hannah, Harrington, Simon, Thoft.

Total 8

Absent or not voting: None.

Total 0

SB 199 - Representative Nelson moved that SB 199 be concurred in.
Motion failed. (8-70)

Representative Eudaily moved that SB 199 be not concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, D. Brown, Campbell, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 74

Noes: Glaser, Lory, Manuel, Poulsen.

Total 4

Paired: Keenan, Aye; Lory, No.

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Hannah, Harrington, Mercer, Meyers, Miles, Moore, Quilici, Simon, Thoft, Winslow.

Total 17

Absent or not voting: Brandewie, J. Brown, Harper, O'Connell, Pavlovich.

Total 5

Representatives Poff and Ream excused at this time.

SB 212 - Representative Swysgood moved that SB 212 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, D. Brown, Campbell, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich,

Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 76

Noes: None.

Total 0

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Poff, Quilici, Ream, Simon, Thoft, Winslow.

Total 20

Absent or not voting: Brandewie, J. Brown, Kadas, O'Connell.

Total 4

Representative Stang excused at this time.

SB 235 - Representative Nelson moved that SB 235 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams.

Total 69

Noes: Hannah, Hanson, Koehnke, Sales, Sands, Swysgood, Mr. Speaker.

Total 7

Paired: Thomas, Aye; Hannah, No.

Excused: Bradley, Bulger, Cobb, Cohen, Daily, Fritz, Grinde, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Poff, Quilici, Ream, Simon, Stang, Thoft, Winslow.

Total 20

Absent or not voting: Brandewie, DeMars, Kadas, O'Connell.

Total 4

Representative Nelson excused at this time.

SB 275 - Representative Rapp-Svrcek moved that SB 275 be concurred in. Representative Lory made a substitute motion that SB 275 be passed to the bottom of the second reading board for correction of the title. Motion carried.

Representative Iverson in the Chair.

Representatives Bradley, Cobb, Fritz, and Simon present at this time.

SB 286 - Representative Grady moved that SB 286, third reading copy, be amended. Amendment failed. (42-50)

Representative Cobb moved that SB 286, third reading copy, be amended. Amendment failed. (25-51)

Representative Addy in the Chair.

Representative Ellison moved that SB 286 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Campbell, Cobb, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Mercer, Miller, Nathe, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Winslow, Mr. Speaker.

Total 51

Noes: Bachini, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 38

Paired: Asay, Campbell, Cobb, Eudaily, Hannah, Jones, Lory, Mercer, Sales, Smith, Spaeth, Swift, Thomas, Winslow, Ayes; Bulger, Cohen, Daily, Harrington, Kadas, Keenan, Menahan, Miles, O'Connell, Pavlovich, Quilici, Ream, Stang, Whalen, Noes.

Excused: Grinde, Meyers, Moore, Nelson, Poff, Thoft.

Total 6

Absent or not voting: Bardanouve, Brandewie, Harp, Menke, Wallin.

Total 5

SB 353 - Representative Kitselman moved that SB 353 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 73

Noes: None.

Total 0

Excused: Bulger, Cohen, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Winslow.

Total 18

Absent or not voting: Brandewie, D. Brown, DeMars, Harp, Kadas, Menahan, O'Connell, Strizich, Wallin.

Total 9

Representative Cohen present at this time.

SB 363 - Representative Darko moved that SB 363 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars,

Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miller, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 76

Noes: Hannah.

Total 1

Paired: Harper, Aye; Hannah, No.

Excused: Bulger, Daily, Grinde, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Winslow.

Total 16

Absent or not voting: Brandewie, Harp, Kadas, Menahan, Nathe, O'Connell, Wallin.

Total 7

SB 371 - Representative Kitselman moved that SB 371 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Whalen, Williams.

Total 75

Noes: Thomas.

Total 1

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Winslow.

Total 17

Absent or not voting: Brandewie, Harp, Kadas, Miller, O'Connell, Wallin, Mr. Speaker.

Total 7

Representative Rapp-Svrcek in the Chair.

SB 373 - Representative D. Brown moved that SB 373 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 76

Noes: None.

Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Winslow.

Total 17

Absent or not voting: Brandewie, Devlin, Harp, Kadas, Menahan, O'Connell, Wallin.

Total 7

SB 375 - Representative Addy moved that SB 375 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 77

Noes: None.

Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Winslow.

Total 17

Absent or not voting: Brandewie, Devlin, Harp, Kadas, O'Connell, Wallin.

Total 6

SB 380 - Representative Ramirez moved that SB 380, third reading copy, be amended as follows:

1. House Judiciary Committee amendments, dated 3/26/87, instruction no. 3, line 3 (the inserted material).

Following: "(4)"

Strike: "The requirement in" through "design"

Insert: "Subsection (2)(b) does not apply to a claim for relief based upon improper product design"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Miller, Nathe, Patterson, Peck, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Mr. Speaker.

Total 66

Noes: Cohen, Glaser, Nisbet, Peterson, Sands.

Total 5

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Winslow.

Total 17

Absent or not voting: Addy, Brandewie, Devlin, Fritz, Harp, Kadas, McCormick, Menahan, O'Connell, Pavlovich, Wallin, Williams.

Total 12

Representative Wallin excused at this time.

Representative Addy moved that SB 380, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 75

Noes: Wallin.

Total 1

Paired: Addy, Aye; Wallin, No.

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Winslow.

Total 17

Absent or not voting: Brandewie, Devlin, Harp, Kadas, Menahan, O'Connell, Phillips.

Total 7

SB 385 - Representative Switzer moved that SB 385 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 77

Noes: None.

Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 18

Absent or not voting: Brandewie, Harp, Kadas, Menahan, O'Connell.
Total 5

Representative Addy in the Chair.

SB 29 - Representative Marks moved that SB 29 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 77

Noes: None.
Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.
Total 18

Absent or not voting: Brandewie, Harp, Kadas, O'Connell, Spaeth.
Total 5

SB 34 - Representative Smith moved that SB 34 be concurred in.
Representative Raney in the Chair.

Representative O'Connell excused at this time.

Representative Harper made a substitute motion that SB 34 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Harper, Harrington, Hayne, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Strizich, Vincent, Whalen, Williams, Mr. Speaker.
Total 54

Noes: Brandewie, Campbell, Cobb, Compton, Devlin, Ellison, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Hoffman, Holliday, Iverson, Jones, Miller, Nathe, Patterson, Phillips, Poulsen, Rehberg, Sales, Smith, Stratford, Swift, Switzer, Swysgood, Thomas.
Total 29

Paired: Daily, Harrington, Keenan, O'Connell, Quilici, Ayes; Brandewie, Cobb, Miller, Smith, Thomas, Noes.

Excused: Bulger, Grinde, Hannah, Mercer, Meyers, Miles, Moore, Nelson, Poff, Ream, Stang, Thoft, Wallin, Winslow.
Total 14

Absent or not voting: Harp, Kadas, Manuel.
Total 3

Representative Addy in the Chair.

SB 69 - Representative Campbell moved that SB 69 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 74

Noes: Giacometto, Gilbert, Koehnke.

Total 3

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, Harp, Kadas, McCormick.

Total 4

SB 96 - Representative Poulsen moved that SB 96 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 73

Noes: Gilbert, Nathe, Sales.

Total 3

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, D. Brown, Harp, Kadas, Rapp-Svrcek.

Total 5

SB 113 - Representative Marks moved that SB 113 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson,

Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 76

Noes: Cobb, Ramirez.

Total 2

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, Harper, Kadas.

Total 3

SB 134 - Representative Menahan moved that SB 134 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 79

Noes: None.

Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, Kadas.

Total 2

SB 300 - Representative Menahan moved that SB 300 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Mr. Speaker.

Total 75

Noes: None.

Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, Hoffman, Kadas, Poulsen, Sales, Williams.

Total 6

HB 861 - Representative Marks moved that consideration of HB 861 be passed for the day because it is an Appropriation bill and does not have to meet the deadline. Motion carried.

Representative Spaeth in the Chair.

SB 77 - Representative Giacometto moved that SB 77 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Williams, Mr. Speaker.

Total 58

Noes: Addy, Bardanoue, Bradley, Cobb, Cohen, Corne', Darko, Driscoll, Fritz, Hansen, Harper, Koehnke, Pavlovich, Rapp-Svrcek, Russell, Schye, Spaeth, Squires, Whalen.

Total 19

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, Harp, Kadas, Poulsen.

Total 4

Representative Addy in the Chair.

SB 122 - Representative Devlin moved that SB 122, third reading copy, be amended as follows:

1. House Appropriations Committee amendments, dated 3/27/87, instruction no. 7, page 2 (inserted language).

Insert: "For the purpose of expediting its work, the state board may refer any appeal to one of its members or to a hearings officer and the person so designated shall have and exercise all the powers of the board in conducting such hearings and shall, as soon as possible thereafter, report the proceedings, together with a transcript of the testimony received, to the board and the state board shall determine such appeal on the record so made."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 76

Noes: None.

Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, D. Brown, Harp, Kadas, Poulsen.

Total 5

Representative Rehberg moved that SB 122, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 78

Noes: None.

Total 0

Excused: Bulger, Daily, Grinde, Hannah, Harrington, Keenan, Mercer, Meyers, Miles, Moore, Nelson, O'Connell, Poff, Quilici, Ream, Stang, Thoft, Wallin, Winslow.

Total 19

Absent or not voting: Brandewie, Kadas, Poulsen.

Total 3

Representative Eudaily moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (72-4)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/28/87

Correctly printed: HB 890.

Correctly engrossed: SB 111, SB 250, SB 253, SB 279.

APPROPRIATIONS (Donaldson, Chairman):

3/28/87

HB 854, third reading copy, be amended as follows:

1. Title, line 10.

Strike: "APPROPRIATING MONEY"

Insert: "SPECIFYING THAT MONEY IS APPROPRIATED"

2. Page 1, line 23.

Strike: "There is appropriated"

Insert: "House Bill No. 862 appropriates"

3. Page 1, line 24.

Strike: "from the general fund"

And, as amended, do pass. Report adopted.

HB 855, third reading copy, be amended as follows:

1. Title, lines 8 and 9.

Following: "ENTITLED:"

Strike: "APPROPRIATING" on line 8 through "MATCHING" on line 9

Insert: "AUTHORIZING THE DEPARTMENT OF COMMERCE TO MATCH"

2. Page 1, lines 14 through 17.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 1, line 19.

Strike: "the"

4. Page 1, line 19.

Following: "in"

Insert: "House Bill No. 862"

5. Page 1, line 20.

Strike: "[section 1]"

6. Page 1, line 20.

Strike: "equally"

Insert: "equal"

7. Page 2, line 21.

Strike: "3"

Insert: "2"

And, as amended, do pass. Report adopted.

HB 862, second reading copy, be amended as follows:

1. Page 3, line 6.

Strike: "22 ½%"

Insert: "27.5%"

2. Page 4, line 14.

Strike: "5%"

Insert: "3%"

3. Page 4, line 17.

Strike: "5%"

Insert: "3%"

4. Page 4, line 22.

Strike: "2 ½%"

Insert: "2%"

5. Page 4, line 25.

Strike: "2 ½%"

Insert: "2%"

And, as amended, do pass. Report adopted.

HB 887, second reading copy, be amended as follows:

1. Title, line 15.

Following: "MONEY"

Insert: "FOR COUNSELING AND FOR MEDIATION IN COORDINATION WITH SENATE BILL NO. 321"

2. Page 7, line 25.

Following: "Appropriation"

Insert: "for counseling"

3. Page 8.

Following: line 11

Insert: "NEW SECTION. Section 10. Appropriation for mediation — expenditure authority — coordination with Senate Bill No. 321.

(1) There is appropriated from the general fund to the department of agriculture the sum of \$50,000 for the biennium ending June 30, 1989, for the purpose of providing mediation services.

(2) In addition to the appropriation contained in subsection (2), there is appropriated to the department of agriculture \$25,000 in available fees collected to defray the costs of providing mediation services as authorized in Senate Bill No. 321. Such fees must be applied toward the costs of providing mediation.

(3) If Senate Bill No. 321 is not passed and approved by the 50th legislature, this section is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 906, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "1988 AND 1989"

Insert: "1987 AND 1988"

2. Page 2.

Strike: line 14 in its entirety

Renumber: subsequent subsections

3. Page 8, line 8.

Strike: "1988"

Insert: "1987"

4. Page 8, line 10.

Following: "\$201,765."

Insert: "The unexpended balance of this appropriation on June 30, 1987 is reappropriated for the fiscal year ending June 30, 1988."

5. Page 8, line 13.

Strike: "1989"

Insert: "1988"

And, as amended, do pass. Report adopted.

SB 321, third reading copy, be amended as follows:

1. Agriculture, Livestock, and Irrigation Committee amendments, dated 3/18/87, amendment no. 1.

Strike: "APPROPRIATING MONEY;"

2. Agriculture, Livestock, and Irrigation Committee amendments, dated 3/18/87, amendment no. 2.

Strike: new section 3 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 3/27/87

HB 252, introduced by M. Hanson

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/27/87

HB 796, introduced by Driscoll

The Senate, on 3/26/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 210.

The President appointed the following members:

Senator E. Smith, Chairman
Senator Severson
Senator Jergeson

The Senate, on 3/26/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 256.

The President appointed the following members:

Senator Mazurek, Chairman
Senator Beck
Senator Pinsoneault

The Senate, on 3/26/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 752.

The President appointed the following members:

Senator Eck, Chairman
Senator Rasmussen
Senator Hager

The Senate, on 3/27/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 123.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Beck
Senator Halligan

The Senate, on 3/27/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 277.

The President appointed the following members:

Senator Halligan, Chairman
Senator Beck
Senator Pinsoneault

The Senate, on 3/27/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 837.

The President appointed the following members:

Senator Thayer, Chairman
Senator Beck
Senator Jergeson

The Senate, on 3/28/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 163.

The President appointed the following members:

Senator B. Brown, Chairman
Senator Farrell
Senator Yellowtail

House bills not concurred in and returned to the House: 2/27/87

HB 416, introduced by Donaldson

HB 431, introduced by Phillips

HB 573, introduced by Winslow

HB 629, introduced by Ream

HB 746, introduced by Brandewie

House amendments to Senate bills concurred in: 3/27/87

SB 356, introduced by Kolstad

SB 357, introduced by Haffey

MOTIONS

Representative Eudaily moved that the rules be suspended to allow the following bills to be heard on both second and third reading on the 70th legislative day: SB 142, SB 184, SB 229, SB 275. Motion carried.

Representative Harp moved that Spaeth, Harper, Kadas, Keenan, Ream, Neuman, Brandewie, and Lory be added as sponsors to HB 904. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Christi Swanson, Missoula
Sara Haggarty, Bozeman
Jodi Ott, Ryegate
Bjorn Holmquist, Bozeman
Nicole Wolcott, Helena
Tamara Olson, Kalispell
Wendy Raney, Livingston
Dela Smith, St. Regis

Representative Eudaily moved that the House adjourn until 11:00 a.m., March 30, 1987.

Motion carried.

House adjourned at 10:50 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTIETH LEGISLATIVE DAY

Helena, Montana
March 30, 1987

House Chambers
State Capitol

House convened at 11:40 a.m., Mr. Speaker in the Chair. Invocation by Representative Stratford. Pledge of Allegiance to the Flag.

Roll call. All members present except Thoft and Whalen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-eighth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 28, 1987

Dear Speaker Marks:

Please be informed that I signed House Bill No. 511 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 29, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 188, 240, 273, 370, 499, 541, 555, 569, 580, 589, 605, 615, 669, and 689 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 359, 574, and 722 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman

March 30, 1987

President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill No. 149, "AN ACT REDUCING THE NUMBER OF YEARS THAT A MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM MUST SERVE BEFORE BECOMING ELIGIBLE FOR SERVICE RETIREMENT BENEFITS REGARDLESS OF HIS AGE; INCREASING EMPLOYEE CONTRIBUTIONS TO FUND THIS CHANGE; AMENDING SECTIONS 19-3-701, 19-3-901, 19-3-902, AND 19-3-906, MCA; AND PROVIDING AN EFFECTIVE DATE."

Senate Bill No. 149 provides that Public Employees' Retirement System (PERS) members with 25 years of service can retire with regular retirement benefits, regardless of age, and with actuarially reduced early retirement benefits after 20 years of service regardless of age. Current law provides for regular retirement at age 60 and early retirement at age 50, both with 5 years of service. The major effect of this bill is to create a new eligibility for 'retirement' benefits for persons prior to age 50. Since few people actually retire between the ages of 38 and 50 on 23% to 38% of their salary, especially since they would have no eligibility for Social Security benefits for 12 to 29 years, this legislation endorses and encourages "double-dipping" as state policy!

SB 149 is unacceptable public policy. With demographic trends pointing to increasing life expectancies and longer productive working lives for our employees, we are going in the wrong direction when we dramatically decrease the service requirements for early and regular retirement benefits, regardless of age. No other state public employees' retirement system in this country contains provisions whereby a person could actually draw 23% of salary for 40 or more years after only working 20 years!

The fact that this bill provides funding for a benefit enhancement for a select few (an estimated 65 members each year), to be paid for by an additional 1% of salaries contributed by each of the 26,767 local, university, and state government employees who are members of this retirement system, points up severe inequities in this proposal. Many groups will pay for this proposal every payday for the rest of their public careers without benefiting by this legislation — the largest of these groups being the 47% of PERS members who begin working for government at age 35 or later. That group can be expected to pay more than \$40 million in increased contributions to PERS over the next 15 years with no increase at all in their prospective retirement benefits under this bill.

The costs of implementing this bill will be borne not only by the 26,767 PERS employees who will suffer a \$4.3 million annual pay-cut effective July 1 (in addition to a Social Security contribution rate increase scheduled to go into effect on January 1, 1988). Because salaries are multiplied in their effect on local economies, local retailers may lose between \$8.6 and \$12.9 million in sales over that same time period as a direct result of this bill.

It must also be pointed out that the inequities between costs and benefits caused by this bill may very well be determined to be unconstitutional. Past court decisions have held that employees cannot be required to pay for benefits which they will not have a prospect of receiving. Certain groups will never have the opportunity of receiving a benefit enhancement under this bill. In fact, the average PERS retiree has only 18 years of service at age 63 and will never benefit from the increased contributions he or she must pay. Ironically, about half of the cost of this bill is to pay for the increase in the system's unfunded liabilities. Historically, employers have paid that cost.

Finally, the Montana Constitution and other laws also prohibit discrimination based upon sex. The effect of this bill, in combination with the historic and current status of women in the Montana public sector work force, further calls the validity of this measure into question since women would represent only 19% of those eligible for the benefit enhancements, but 57% of those paying the costs.

As president of the Public Employees' Retirement Board, on which I served for seven years, I would have opposed this bill because it was poor public policy, seriously inequitable and too costly. As Governor, I take my responsibilities to public employees and the public no less seriously. I therefore veto Senate Bill No. 149.

Sincerely,

Ted Schwinden
Governor

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 873 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.
Total 91

Noes: Cohen, Fritz, Hansen, Miles.
Total 4

Excused: Ramirez, Thoft, Whalen.
Total 3

Absent or not voting: Grady, Williams.
Total 2

SB 29 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Ellison.

Total 1

SB 51 concurred in as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Addy, Bradley, D. Brown, Connelly, Driscoll, Fritz, Hansen, Keenan, Nisbet, Raney, Russell, Squires, Strizich.

Total 13

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 69 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto, Koehnke, Meyers, Stang.

Total 4

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 77 concurred in as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Addy, Bardanouve, Bradley, Cohen, Corne', Darko, Driscoll, Hansen, Harper, Kadas, Koehnke, Miles, Rapp-Svrcek, Russell, Squires, Stang.

Total 16

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 96 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Meyers, Sales.

Total 2

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 111 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson,

Eudaily, Fritz, Gilbert, Gould, Harp, Harper, Harrington, Hayne, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, Menke, Miles, Miller, Nelson, Nisbet, O'Connell, Peck, Poff, Poulsen, Ramirez, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 56

Noes: D. Brown, Campbell, Cobb, DeMars, Devlin, Driscoll, Ellison, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Hoffman, Holliday, Iverson, Jenkins, Keller, Koehnke, McCormick, Manuel, Menahan, Mercer, Meyers, Moore, Nathe, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Sales, Spaeth, Stang, Swift, Switzer, Swysgood, Thomas.

Total 42

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 113 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 122 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 134 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 139 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Fritz.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 152 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Ellison, Giacometto, Gilbert, Grinde, Hannah, Menke, Peterson, Poulsen, Sales.

Total 10

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 160 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Daily.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 161 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Campbell, Cobb, Cohen, Driscoll, Ellison, Giacometto, Glaser, Hannah, Jenkins, Jones, Keller, McCormick, Menke, Meyers, Nathe, Patterson, Peterson, Poulsen, Sales, Swysgood, Wallin.

Total 21

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 170 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Stang, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent.

Total 70

Noes: Asay, Brandewie, D. Brown, Cohen, Connelly, Devlin, Hanson, Harp, Jones, Koehnke, Lory, McCormick, Meyers, Nelson, Pistoria, Poulsen, Ramirez, Ream, Sales, Smith, Squires, Stratford, Wallin, Williams, Winslow, Mr. Speaker.

Total 26

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Holliday, Spaeth.

Total 2

SB 175 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Grinde, Hannah.

Total 2

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Hayne.

Total 1

SB 187 concurred in as follows:

Ayes: Asay, Bradley, Brandewie, J. Brown, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Harrington, Hayne, Hoffman,

Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, McCormick, Manuel, Menke, Miller, Nathe, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.
Total 56

Noes: Addy, Bachini, Bardanouve, D. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Eudaily, Grinde, Hannah, Hansen, Harper, Holliday, Keenan, Koehnke, Lory, Menahan, Mercer, Meyers, Miles, Moore, Nelson, Nisbet, O'Connell, Peck, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.
Total 42

Paired: Brandewie, Aye; Whalen, No.

Excused: Thoft.
Total 1

Absent or not voting: Kennerly.
Total 1

SB 189 concurred in as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 89

Noes: D. Brown, Campbell, Giacometto, Hannah, Harrington, Sales, Stang.
Total 7

Excused: Thoft, Whalen.
Total 2

Absent or not voting: Addy, Hansen.
Total 2

SB 210 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Williams.
Total 84

Noes: Brandewie, Campbell, Cobb, Ellison, Fritz, Gilbert, Hannah, Nathe, Nelson, Sales, Wallin, Winslow, Mr. Speaker.

Total 13

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Strizich.

Total 1

SB 212 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cohen, Meyers.

Total 2

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Hansen.

Total 1

SB 219 concurred in as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Fritz, Giacometto, Glaser, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Raney, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Stratford, Switzer, Swysgood, Vincent, Wallin, Winslow, Mr. Speaker.

Total 61

Noes: Bachini, Bardanouve, J. Brown, Cobb, Cohen, Connelly, Darko, Ellison, Eudaily, Gilbert, Gould, Grady, Hansen, Harper, Hoffman, Jones, Keenan, Kitselman, Menahan, Miles, Moore, Nelson, Peck, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Sales, Schye, Squires, Stang, Swift, Thomas, Williams.

Total 35

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Koehnke, Strizich.

Total 2

SB 226 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Thoft, Whalen.
Total 2

Absent or not voting: None.
Total 0

SB 235 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Winslow.
Total 91

Noes: Ellison, Hannah, Hanson, Koehnke, Sales, Swysgood, Mr. Speaker.
Total 7

Excused: Thoft, Whalen.
Total 2

Absent or not voting: None.
Total 0

SB 241 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Cohen.

Total 1

SB 246 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 81

Noes: D. Brown, Campbell, Cohen, Gould, Hannah, Menahan, Nelson, Peck, Peterson, Phillips, Rapp-Svrcek, Sales, Squires, Stang, Strizich, Swysgood, Wallin.

Total 17

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 250 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Hannah.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Poulsen.

Total 1

SB 253 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Thoft, Whalen.
Total 2

Absent or not voting: Strizich.
Total 1

SB 257 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.
Total 86

Noes: Devlin, Ellison, Giacometto, Grinde, Jenkins, Menke, Meyers, Peterson, Roth, Sales, Swysgood, Wallin.
Total 12

Excused: Thoft, Whalen.
Total 2

Absent or not voting: None.
Total 0

SB 261 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Jones, Pavlovich.

Total 2

SB 279 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 286 concurred in as follows:

Ayes: Addy, Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 55

Noes: Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Grady, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 43

Paired: Hannah, Aye; Whalen, No.

Excused: Thoft.

Total 1

Absent or not voting: Hansen.

Total 1

SB 289 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne',

Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 295 concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 84

Noes: Bardanouve, Bradley, Cody, Corne', Fritz, Hannah, Hansen, Harper, Meyers, Peck, Peterson, Rapp-Svrcek, Stang, Thomas.
Total 14

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 298 concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 87

Noes: Bachini, Cohen, Devlin, Grinde, Hannah, Harper, Menke, Pistoria, Switzer.

Total 9

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Kennerly, Phillips.

Total 2

SB 300 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Thomas.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 302 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Giacometto, Hannah.

Total 2

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 303 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Hannah, Sales.

Total 2

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 315 concurred in as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Addy, Asay, D. Brown, Cobb, Daily, Devlin, Driscoll, Hannah, Hansen, Harper, Harrington, Keenan, Kennerly, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Ream, Russell, Schye, Squires, Strizich, Switzer, Whalen.

Total 29

Paired: Rapp-Svrcek, Aye; Whalen, No.

Excused: Thoft.

Total 1

Absent or not voting: None.

Total 0

SB 329 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Strizich, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Campbell, Cobb, Cody, DeMars, Devlin, Ellison, Giacometto, Glaser, Grinde, Hanson, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller,

Manuel, Nathe, Patterson, Poff, Sales, Smith, Stang, Stratford, Swift, Switzer, Swysgood.

Total 27

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Donaldson.

Total 1

SB 331 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Campbell, Cohen, DeMars, Giacometto, Hannah, Hansen, Jones, Kadas, Meyers, Patterson, Rapp-Svrcek, Sales, Smith, Stang, Swysgood.

Total 15

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Miller.

Total 1

SB 338 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cohen, Fritz, Giacometto, Hansen, Pavlovich, Poff, Squires.

Total 7

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 341 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Thoft, Whalen.
Total 2

Absent or not voting: None.
Total 0

SB 344 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Giacometto, Jenkins.
Total 2

Excused: Thoft, Whalen.
Total 2

Absent or not voting: None.
Total 0

SB 353 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Hannah.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 359 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 360 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Nathe.

Total 1

SB 361 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 362 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Cody.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Poulsen.

Total 1

SB 363 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Mr. Speaker.
Total 95

Noes: Hannah, Meyers, Winslow.

Total 3

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 370 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 371 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Giacometto, Hannah, Jones, Meyers, Peck, Thomas.

Total 6

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 373 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah,

Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Daily, Devlin, Driscoll, Ellison, Giacometto, Grinde, Pavlovich, Swysgood, Thomas.

Total 10

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 375 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Driscoll.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: None.

Total 0

SB 380 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Meyers, Wallin.

Total 2

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Cohen.

Total 1

SB 385 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Brandewie.

Total 1

SB 151, free conference committee report, adopted as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Addy, Bachini, Bulger, Cohen, Connelly, Darko, Glaser, Hansen, Harper, Keenan, Meyers, Miles, Peck, Poulsen, Raney, Rapp-Svrcek, Russell, Stang.

Total 18

Excused: Thoft, Whalen.

Total 2

Absent or not voting: O'Connell.

Total 1

MOTIONS

Representative Wallin moved that he be allowed to change his vote on SB 170 on third reading this day from yes to no. Motion carried.

Representative Rapp-Svrcek moved that he be allowed to change his vote on SB 246 on third reading this day from yes to no. Motion carried.

Representative Corne' moved that he be allowed to change his vote on SB 295 on third reading this day from yes to no. Motion carried.

Representative Hannah moved that he be allowed to cast a yes vote on SB 199, on second reading the previous legislative day. Motion failed.

Representative Sands moved that the House reconsider its action in passing SB 226, the youth detention bill, on third reading this day, as the bill is flawed and must have an amendment. Motion carried.

Representative Sands moved that SB 226 be placed above HB 2 on the second reading board this day. Motion carried.

Representative Sands moved that the rules be suspended to allow SB 226 to be heard on both second and third reading this day. Motion carried.

Representative Winslow moved that HB 862 be moved below HB 754 on the second reading board to be heard with related measures. Motion carried.

Representative Hannah moved that SB 142, SB 184, SB 226, SB 229, and SB 275 be placed at the top of the second reading board. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 142 - Representative Rapp-Svrcek moved that SB 142 be placed below SB 229 on the second reading board because Representative Corne' is absent. Motion carried.

SB 184 - Representative Kadas moved that SB 184, third reading copy, be amended as follows:

1. House Natural Resources Committee amendments, dated 3/27/87, instruction no. 3, line 6 (the inserted material).

Following: "(i) such environmental"

Strike: "and cumulative"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Menke.

Total 1

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Bardanouve, Harp, Manuel, Menahan, Miller, Poulsen.

Total 6

Representative Gilbert moved that SB 184, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cohen, Kadas, Strizich.

Total 3

Excused: Thoft, Whalen.

Total 2

Absent or not voting: Harper, Miller, Rapp-Svrcek.

Total 3

SB 226 - Representative Sands moved that SB 226 be placed below SB 275 on the second reading board because the amendment wasn't ready. Motion carried.

Representative Miller excused at this time.

SB 229 - Representative Rapp-Svrcek moved that SB 229 be concurred in. Motion carried as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 83

Noes: Addy, Bachini, Bulger, Cobb, Driscoll, Hansen, Harper, Harrington, Miles, Peck, Raney.

Total 11

Excused: Miller, Thoft, Whalen.

Total 3

Absent or not voting: D. Brown, Squires, Mr. Speaker.

Total 3

Representative Thomas excused at this time.

SB 142 - Representative Corne' moved that SB 142 be placed below HB 861 for amendment. Motion carried.

SB 275 - Representative Lory moved that SB 275, third reading copy, be amended as follows:

1. Title, line 6.

Following: "WITH"

Insert: "AN OFFENSE WHICH, IF COMMITTED BY AN ADULT, WOULD BE"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Miller, Thoft, Thomas, Whalen.

Total 4

Absent or not voting: Bardanouve, Jones.

Total 2

Representative Hannah moved that SB 275, as amended, be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Campbell, Cobb, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Addy, Bulger, Cohen, Driscoll, Nisbet, Raney, Russell, Squires, Wallin.

Total 9

Excused: Miller, Thoft, Thomas, Whalen.

Total 4

Absent or not voting: J. Brown, Cody, Connelly, Harrington, Kadas, O'Connell.

Total 6

SB 226 - Representative Sands moved that SB 226, third reading copy, be amended as follows:

1. Title, line 14.

Following: "DATES"

Insert: "AND A TERMINATION DATE FOR A PORTION OF THE ACT"

2. Page 12, line 21.

Following: "(1)"

Strike: "or"

Insert: "[.]"

3. Page 12, line 22.

Following: "facility"

Insert: "[, or in a jail or other facility for the detention of adults only if the facilities in subsection (1) are not available or do not provide adequate security and the detention is in an area physically and visually separate and removed from that of adults]"

4. Page 20, line 5.

Following: "DATES"

Insert: "— termination date"

5. Page 20, line 6.

Strike: "SUBSECTION"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

6. Page 20.

Following: line 9

Insert: "(3) The bracketed language in subsection (3) of section 9 terminates July 1, 1989."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Miller, Thoft, Thomas, Whalen.

Total 4

Absent or not voting: Brandewie, O'Connell.

Total 2

Representative Winslow moved that SB 226, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Miller, Thoft, Thomas, Whalen.

Total 4

Absent or not voting: Squires.

Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (90-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 184 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Bradley, Bulger, Cohen, Connelly, Darko, Hansen, Kadas, Nisbet, Raney, Rapp-Svrcek, Ream, Russell, Squires.

Total 13

Excused: Miller, Thoft, Thomas, Whalen.

Total 4

Absent or not voting: Grinde.

Total 1

SB 229 concurred in as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Addy, Bachini, D. Brown, Bulger, Cobb, Cohen, Driscoll, Harper, Miles, Nisbet, Peck, Raney, Ream.

Total 13

Excused: Miller, Thoft, Thomas, Whalen.

Total 4

Absent or not voting: Smith.

Total 1

SB 275 concurred in as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Williams, Winslow.

Total 84

Noes: Addy, D. Brown, Bulger, Cohen, Connelly, Driscoll, Harper, Nisbet, Raney, Russell, Wallin.

Total 11

Excused: Miller, Thoft, Thomas, Whalen.

Total 4

Absent or not voting: Mr. Speaker.

Total 1

SB 226 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith,

Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Miller, Thoft, Thomas, Whalen.
Total 4

Absent or not voting: None.
Total 0

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 907, introduced by Cobb. Referred to Committee on Appropriations.

HB 908, introduced by Keenan. Referred to Committee on Appropriations.

HB 909, introduced by Bardanoue, (By Request of the House Appropriations Committee). Referred to Committee on Appropriations.

MOTIONS

Representative Hannah moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 12:55 p.m.

House reconvened at 2:35 p.m.

Mr. Speaker in the Chair.

Chairman Donaldson announced there would be an Appropriations meeting immediately on recess.

Representative Hannah moved that the House stand in recess until 4:45 p.m. Motion carried.

House recessed at 2:40 p.m.

House reconvened at 6:05 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/30/87

Correctly printed: HB 38, HB 854, HB 855, HB 862, HB 887, HB 904, HB 906.

Correctly engrossed: HB 873, SB 29, SB 69, SB 77, SB 96, SB 113, SB 122, SB 134, SB 139, SB 152, SB 160, SB 161, SB 175, SB 187, SB 189, SB 212, SB 219, SB 226, SB 229, SB 235, SB 241, SB 246, SB 257, SB 261, SB 275, SB 286, SB 289, SB 295, SB 298, SB 300, SB 302, SB 303, SB 315, SB 329, SB 338, SB 341, SB 344, SB 353, SB 359, SB 360, SB 361, SB 362, SB 363, SB 370, SB 371, SB 373, SB 375, SB 380, SB 385.

Examined by the sponsor and found to be correct:

HB 424 - Moore

Signed by the Speaker at 12:30 p.m.: HB 424.

Delivered to the Governor for his approval at 10:05 a.m.: HB 198, HB 231, HB 358, HB 402, HB 449, HB 467, HB 537, HB 576, HB 651, HB 729, HB 820.

APPROPRIATIONS (Donaldson, Chairman):

3/30/87

HB 884, introduced bill, be amended as follows:

1. Title, line 11.

Following: "BONDS"

Insert: "AND THE UNFUNDED LIABILITY OF THE STATE FUND"

Following: "BONDS;"

Insert: "AMENDING SECTION 17-7-502, MCA;"

2. Page 3, lines 14 and 15.

Strike: "and" on line 14 through "fund" on line 15

3. Page 3, line 19.

Strike: "0.57%"

Insert: "0.5%"

4. Page 3, lines 20 and 21.

Strike: "An" on line 20 through "the" on line 21

Insert: "This"

5. Page 3, line 21.

Strike: "is intended to"

Insert: "must"

6. Page 3, lines 23 through 25.

Following: "[section 5]" on line 23

Insert: "and benefits for injuries that occurred prior to June 30, 1987"

Strike: "An" on line 23 through "fund." on line 25

7. Page 5, line 5.

Following: "[section 5]"

Insert: "and benefits for injuries that occurred prior to June 30, 1987"

8. Page 9.

Following: line 18

Insert: "Section 10. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations:

(a) 2-9-202;

(b) 2-17-105;

- (c) 2-18-812;
- (d) 10-3-203;
- (e) 10-3-312;
- (f) 10-3-314;
- (g) 10-4-301;
- (h) 13-37-304;
- (i) 15-31-702;
- (j) 15-36-112;
- (k) 15-70-101;
- (l) 16-1-404;
- (m) 16-1-410;
- (n) 16-1-411;
- (o) 17-3-212;
- (p) 17-5-404;
- (q) 17-5-424;
- (r) 17-5-804;
- (s) 19-8-504;
- (t) 19-9-702;
- (u) 19-9-1007;
- (v) 19-10-205;
- (w) 19-10-305;
- (x) 19-10-506;
- (y) 19-11-512;
- (z) 19-11-513;
- (aa) 19-11-606;
- (bb) 19-12-301;
- (cc) 19-13-604;
- (dd) 20-6-406;
- (ee) 20-8-111;
- (ff) 23-5-612;
- (gg) 37-51-501;
- (hh) 53-24-206;
- (ii) 75-1-1101;
- (jj) 75-7-305;
- (kk) 80-2-103;
- (ll) 80-2-228;

- (mm) 90-3-301;
- (nn) 90-3-302;
- (oo) 90-15-103; ~~and~~
- (pp) Sec. 13, HB 861, L. 1985; and
- (qq) [section 4].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.””

Renumber: subsequent subsections

9. Page 9.

Following: line 24

Insert: “NEW SECTION. Section 13. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.”

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 889, do pass. Report adopted.

HB 901, do pass. Report adopted.

HB 904, introduced bill, be amended as follows:

1. Title, line 16.

Strike: “20-9-316 THROUGH”

Insert: “20-9-318,”

2. Page 19, line 2.

Strike: “and [section 10]”

3. Page 19, line 6 through line 3, page 22.

Strike: section 10 in its entirety

4. Page 68, line 7 through line 6, page 71.

Strike: sections 38 and 39 in their entirety

Renumber: subsequent sections

5. Page 71, line 9.

Strike: “1988-89”

Insert: “1987-88”

6. Page 71, line 10.

Strike: “1988-89”

Insert: “1987-88”

7. Page 71, line 13.

Strike: “\$19,558”

Insert: “\$20,158”

8. Page 71, line 16.

Strike: “\$19,558”

Insert: "\$20,158"

9. Page 71, line 17.

Strike: "\$817.30"

Insert: "\$842.50"

10. Page 71, line 21.

Strike: "\$32,057"

Insert: "\$33,042"

11. Page 71, line 22.

Strike: "\$817.30"

Insert: "\$842.50"

12. Page 71, line 25.

Strike: "\$26,914"

Insert: "\$27,741"

13. Page 72, line 1.

Strike: "\$817.30"

Insert: "\$842.50"

14. Page 72, line 4.

Strike: "\$42,970"

Insert: "\$44,290"

15. Page 72, line 5.

Strike: "\$511.90"

Insert: "\$527.60"

16. Page 72, line 12.

Strike: "\$1,899"

Insert: "\$1,957"

Strike: "\$1.84"

Insert: "\$1.90"

17. Page 72, line 16.

Strike: "\$1,788"

Insert: "\$1,843"

18. Page 72, line 17.

Strike: "\$1.69"

Insert: "\$1.74"

19. Page 72, line 20.

Strike: "\$1,451"

Insert: "\$1,496"

20. Page 73, line 5.

Strike: "1988-89"

Insert: "1987-88"

21. Page 73, line 6.

Strike: "1988-89"

Insert: "1987-88"

22. Page 73, line 9.

Strike: "\$111,422"

Insert: "\$114,845"

23. Page 73, line 11.

Strike: "\$4,643"

Insert: "\$4,785"

24. Page 73, line 12.

Strike: "\$25.32"

Insert: "\$26.10"

25. Page 73, line 15.

Strike: "\$4,237"

Insert: "\$4,368"

26. Page 73, line 16.

Strike: "\$25.32"

Insert: "\$26.10"

27. Page 73, line 19.

Strike: "\$2,718"

Insert: "\$2,802"

28. Page 73, line 20.

Strike: "\$4.24"

Insert: "\$4.37"

29. Page 73, line 23.

Strike: "\$2,295"

Insert: "\$2,365"

30. Page 73, line 24.

Strike: "\$2.33"

Insert: "\$2.40"

31. Page 74, line 2.

Strike: "\$2,062"

Insert: "\$2,125"

32. Page 74, line 3.

Strike: "43"

Insert: "44"

33. Page 74, line 6.

Strike: "\$1,933"

Insert: "\$1,993"

34. Page 76, lines 22 and 25.

Strike: "10, 13, and 43"

Insert: "12 and 40"

35. Page 77, lines 9 and 11.

Strike: "45"

Insert: "42"

36. Page 77, line 13.

Strike: "22, 27"

Insert: "21, 26"

37. Page 77, line 14.

Strike: "37"

Insert: "36"

Strike: "44"

Insert: "41"

38. Page 77, line 16.

Strike: "23"

Insert: "22"

Strike: "26"

Insert: "25"

39. Page 77, lines 21 and 23.

Strike: "43"

Insert: "40"

And, as amended, do pass. Report adopted.

HB 905, do pass. Report adopted.

BUSINESS AND LABOR (Kitselman, Chairman):

3/27/87

HJR 46, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman):

3/30/87

Report the following staff changes:

Termination of Betty DeYoung, committee secretary, effective 3/5/87.

Termination of Eric Jones, page to Speaker, effective 3/30/87.

Termination of Dayna Swanson, page to minority, effective 3/30/87.

Hiring of Eric Myrdal, page to Speaker, effective 3/30/87.

Hiring of Jennifer Nichols, page to minority, effective 3/30/87.

TAXATION (Ramirez, Chairman):

3/30/87

HJR 48, introduced bill, be amended as follows:

1. Page 2, line 12.

Following: "successfully"

Strike: "accomplished"

Insert: "accomplish"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/28/87

HB 316, introduced by Addy

HB 365, introduced by Peck

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/28/87

HB 161, introduced by Meyers

HB 166, introduced by Jones

HB 170, introduced by Jones

HB 171, introduced by Fritz

HB 340, introduced by Donaldson

HB 364, introduced by Bradley

House bills not concurred in and returned to the House:

3/28/87

HB 357, introduced by Bardanouve

HB 634, introduced by Ellison

HB 724, introduced by Miller

HB 637, introduced by Winslow, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, concurred in by the Senate and is returned to the House with the following vote: 3/28/87

YEAS - 33

NAYS - 17

MOTIONS

Representative Swysgood moved that HB 894, HB 895, and HB 903, bills dealing with the law enforcement academy, be taken from the table in the Committee on Appropriations and printed and placed on second reading. After debate, Representative Brandewie moved the previous question. Motion carried. The Swysgood motion carried. (52-44)

Representative Strizich moved that HB 627 be taken from the table in the Committee on Appropriations and printed and placed on second reading. This is the bill creating youth evaluation centers, which was tied to HB 791. Motion carried. (64-32)

Representative Vincent moved that HB 9 be taken from the table in the Committee on Taxation and printed and placed on second reading on the 71st legislative day. This bill deals with escalated tax collections to fund certain programs. Motion failed. (43-56)

Representative Iverson in the Chair.

Representative Addy moved that HB 787 be taken from the table in the Committee on Appropriations and printed and placed on second reading on the 71 legislative day. Motion carried. (53-43)

Speaker Marks in the Chair.

Representative Schye moved that SB 321 be placed below SB 142 on the second reading board because it must meet the Monday night deadline. Motion carried.

Representative Moore moved that she be allowed to cast yes votes on HB 873, SB 29, SB 51, SB 69, SB 77, and SB 96 on third reading this day. She was over in the Senate and didn't realize third reading was the first thing on the agenda. Motion carried.

Representative Daily moved that the House move to Order of Business No. 8. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Daily excused at this time.

HB 861 - Representative Simon moved that HB 861, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "REVENUE"

Insert: "COMMERCE"

2. Page 1, line 17.

Strike: "or"

Following: "entity"

Insert: ", labor organization, the state of Montana or any of its political subdivisions, or any other entity"

3. Page 2, line 5.

Following: "railroad"

Insert: "that will be operated by a common rail carrier"

4. Page 2, line 11.

Strike: "and"

Following: "counsel"

Insert: ", and the department of commerce"

Following: ","

Insert: "and"

5. Page 2, line 14.

Following: ","

Insert: "the department of commerce,"

6. Page 2, line 15.

Strike: ";" through "transaction" on line 21

7. Page 3, line 4.

Following: ","

Insert: "labor agreements,"

8. Page 3, line 7.

Strike: ","

Insert: "and"

9. Page 3, line 8.

Strike: ", and in the" through "revenue" on line 9

10. Page 3, line 11.

Following: "2]"

Insert: "or for law enforcement purposes. In establishing the confidentiality provided in this subsection, the legislature finds that the demand for individual privacy involved clearly exceeds the merit for public disclosure"

11. Page 3, line 12.

Strike: "Section 4." through "organization." on line 20

12. Page 3, line 21.

Strike: "5"

Insert: "4"

13. Page 3, line 24.

Strike: "revenue"

Insert: "commerce"

14. Page 3.

Following: line 24

Insert: "Section 5. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

15. Page 4, lines 1 and 3.

Strike: "4"

Insert: "3"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko,

Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: Raney.

Total 1

Excused: Daily, Thoft.

Total 2

Absent or not voting: Bardanouve, DeMars, Mr. Speaker.

Total 3

Representative Addy moved that HB 861, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Darko, Devlin, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Whalen, Williams.

Total 54

Noes: Asay, Brandewie, Campbell, Cody, Compton, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jones, Kitselman, Manuel, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 39

Excused: Daily, Thoft.

Total 2

Absent or not voting: DeMars, Driscoll, Jenkins, Keller, Mercer.

Total 5

Representative Spaeth excused at this time.

SB 142 - Representative Corne' moved that SB 142 be concurred in.
Representative Corne' made a substitute motion that SB 142, third reading copy, be amended as follows:

1. House Agriculture Committee amendments, dated 3/27/87, instruction no. 1.

Following: "DATE"

Strike: "AND"

Insert: " , "

2. House Agriculture Committee amendments, dated 3/27/87, instruction no. 7.

Following: "date of this act"

Insert: "until June 30, 1991, and no right of first refusal under this act may accrue after June 30, 1991"

3. Title, line 9.

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

4. Page 5, line 7.

Following: "date"

Insert: "— termination date"

5. Page 5, line 8.

Following: "approval"

Insert: "and terminates June 30, 1996"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Devlin, Ellison, Thomas, Wallin.

Total 4

Excused: Daily, Spaeth, Thoft.

Total 3

Absent or not voting: Manuel.

Total 1

Representative Jenkins made a substitute motion that SB 142, third reading copy, be further amended as follows:

1. House Agriculture Committee amendments, dated 3/27/87, instruction no. 5, second sentence of inserted language.

Following: "The offer to"

Strike: "sell or"

2. Page 2, line 7.

Strike: "or selling"

3. Page 2, line 8.

Strike: "sell or"

4. Page 2, line 10.

Strike: "for the same price and"

5. Page 2, line 12.

Strike: "seller or"

6. Page 2.

Following: line 12

Insert: "(2) A holder of foreclosed agricultural land shall, when selling such land or any portion thereof to a third party, make a good faith offer to sell the land or portion thereof to the immediately preceding owner for the same price offered by a third party that is acceptable to the seller."

Renumber: subsequent subsections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cody, Cohen, Rapp-Svrcek, Whalen.

Total 4

Excused: Daily, Spaeth, Thoft.

Total 3

Absent or not voting: Sales.

Total 1

Representative Spaeth present at this time.

Representative Brandewie made a substitute motion that SB 142, third reading copy, be further amended. Amendment failed. (41-55)

Representative Swysgood made a substitute motion that SB 142, third reading copy, be further amended as follows:

1. Page 2, line 2.

Strike: "WHETHER BY JUDICIAL PROCEEDINGS OR OTHERWISE,"²

Amendment passed as follows:

Ayes: Brandewie, Bulger, Campbell, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Hayne, Holliday, Kadas, Keenan, Kennerly, McCormick, Menahan, Menke, Meyers, Miles, Moore, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 47

Excused: Daily, Thoft.

Total 2

Absent or not voting: None.

Total 0

SB 142, as amended, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Fritz, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Menahan, Mercer, Miles, Moore, Nelson, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Winslow.
Total 64

Noes: Brandewie, Bulger, Campbell, Devlin, Donaldson, Eudaily, Giacommetto, Gilbert, Gould, Grinde, Hannah, Harp, Hayne, Iverson, Kitselman, Lory, Manuel, Menke, Meyers, Miller, Nathe, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Wallin, Mr. Speaker.
Total 34

Paired: Daily, Aye; Giacommetto, No.

Excused: Thoft.

Total 1

Absent or not voting: Nisbet.

Total 1

SB 321 - Representative Schye moved that SB 321 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacommetto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 85

Noes: Campbell, Grinde, Hannah, Harp, Menke, Meyers, Nathe, Phillips, Sales.
Total 9

Excused: Daily, Thoft.

Total 2

Absent or not voting: Bardanouve, Donaldson, Keller, Thomas.

Total 4

HB 38 - Representative Bradley moved that HB 38, second reading copy, be amended as follows:

1. Statement of intent, page 1, lines 6 and 7.

Renumber: internal references

2. Statement of intent, page 1, lines 10 through 11.

Strike: "and the retention preference provided for in section 5"

3. Statement of intent, page 3, lines 15 through 18.

Strike: subsection (6) in its entirety

4. Page 9, line 24 through line 19, page 10.

Strike: section 6 in its entirety

Renumber: subsequent sections

5. Page 1, line 22.

Page 6, line 6.

Page 9, lines 12 and 14.

Page 10, line 22.

Page 17, line 21.

Page 22, lines 12 and 13.

Page 23, lines 9, 16, 17, 23, and 24.

Renumber: internal references

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Grady, Grinde, Harp, Harper, Hoffman, Holliday, Iverson, Kadas, Keenan, Koehnke, Lory, Manuel, Miles, Peterson, Poulsen, Ramirez, Raney, Ream, Russell, Schye, Smith, Spaeth, Stang, Stratford, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 48

Noes: Asay, Campbell, DeMars, Devlin, Driscoll, Ellison, Glaser, Gould, Hannah, Hanson, Harrington, Hayne, Jenkins, Jones, Keller, Kennerly, Kitselman, McCormick, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Quilici, Rehberg, Roth, Sales, Sands, Simon, Squires, Strizich, Swift, Switzer, Swysgood, Thomas.

Total 45

Excused: Daily, Thoft.

Total 2

Absent or not voting: D. Brown, Hansen, Poff, Rapp-Svrcek, Winslow.

Total 5

Representative Pavlovich moved that HB 38, as amended, do pass.

Motion carried as follows:

Ayes: Asay, D. Brown, Campbell, Compton, Daily, Darko, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Glaser, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kitselman, McCormick, Menahan, Menke, Mercer, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rehberg, Russell, Sales, Sands, Squires, Stratford, Swift, Switzer, Swysgood, Thomas.

Total 50

Noes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Donaldson, Fritz, Gilbert, Gould, Grady, Grinde, Harp, Harper, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, Manuel, Meyers, Miles, Nelson, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Schye, Simon, Smith, Spaeth, Stang, Strizich, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 48

Paired: Daily, Aye; Keenan, No.

Excused: Thoft.

Total 1

Absent or not voting: DeMars.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (83-12)

MOTIONS

Representative Schye moved that the rules be suspended to allow SB 321 to be heard on third reading this day. Motion carried.

Representative Simon moved that HB 861, which just passed second reading, be rereferred to the Committee on Appropriations. Motion failed. (44-54)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 142 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Swysgood, Vincent, Whalen, Williams, Winslow.

Total 65

Noes: Brandewie, Bulger, Campbell, Compton, Donaldson, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hannah, Harp, Hayne, Hoffman, Iverson, Kitselman, Lory, Manuel, Menke, Meyers, Nathe, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Stratford, Swift, Thomas, Wallin, Mr. Speaker.

Total 33

Excused: Daily, Thoft.

Total 2

Absent or not voting: None.

Total 0

SB 321 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Bardanouve, Campbell, Grinde, Hannah, Menke, Sales, Thomas.

Total 7

Excused: Daily, Thoft.

Total 2

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:00 a.m.,
March 31, 1987.

Motion carried.

House adjourned at 9:42 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 31, 1987

House Chambers
State Capitol

House convened at 9:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except The Appropriations Committee, Fritz, Harper, Keenan, Kennerly, Moore, Poff, Ramirez, Stang, and Thoft, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixty-ninth legislative day, find the same to be correct.

Hayne, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Mercer in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 155 - Representative Bulger moved that HB 155 be placed below HB 862 on the second reading board because of the absence of the sponsor, Representative Bardanouve. Motion carried.

HB 275 - Representative Rapp-Svrcek moved that HB 275 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Mercer, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 69

Noes: Meyers, Sales.

Total 2

Excused: Bardanouve, Bradley, Connelly, Devlin, Donaldson, Fritz, Harper, Iverson, Keenan, Kennerly, Manuel, Menahan, Menke, Miller, Moore, Nathe, Peck, Poff, Poulsen, Quilici, Ramirez, Rehberg, Spaeth, Stang, Swift, Switzer, Thoft, Winslow.

Total 28

Absent or not voting: Thomas.

Total 1

HB 436 - Representative Marks moved that HB 436 be placed below HB 862 on the second reading board because of the absence of the sponsor, Representative Ramirez. Motion carried.

Representative Bulger in the Chair wearing his "pork barrel" nose.

The Appropriations Committee returning at this time.

Representatives Harper and Stang present at this time.

HB 599 - Representative Mercer moved that HB 599 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Grinde, Koehnke, Patterson, Sales, Switzer.

Total 5

Excused: Bardanouve, Connelly, Donaldson, Fritz, Keenan, Kennerly, Miller, Moore, Poff, Ramirez, Spaeth, Swift, Thoft.

Total 13

Absent or not voting: Poulsen.

Total 1

Representative Iverson in the Chair.

HB 754 - Representative Bradley moved that HB 754 do pass. Motion carried as follows:

Ayes: Addy, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Gilbert, Glaser, Gould, Hannah, Hansen, Harp, Harper, Harrington, Iverson, Kadas, Lory, McCormick, Menahan, Miles, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sands, Schye, Simon, Squires, Strizich, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 50

Noes: Asay, Bachini, Campbell, Cobb, Cody, Devlin, Ellison, Giacometto, Grady, Grinde, Hanson, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Nelson, Peterson, Phillips, Roth, Sales, Smith, Stang, Stratford, Swift, Switzer, Swysgood.

Total 34

Excused: Bardanouve, Connelly, Donaldson, Fritz, Keenan, Kennerly, Miller, Moore, Poff, Ramirez, Spaeth, Thoft.

Total 12

Absent or not voting: Nathe, Poulsen, Thomas, Winslow.

Total 4

HB 854 - Representative Vincent moved that HB 854 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert,

Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Connelly, Donaldson, Fritz, Keenan, Kennerly, Miller, Moore, Poff, Ramirez, Spaeth, Thoft.

Total 11

Absent or not voting: Nathe, Rapp-Svrcek, Swift.

Total 3

HB 855 - Representative Vincent moved that HB 855 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 77

Noes: Grinde, Hannah, Hayne, Jones, Keller, Menke, Meyers, Peterson, Phillips, Sales.

Total 10

Excused: Connelly, Fritz, Keenan, Kennerly, Miller, Moore, Poff, Ramirez, Thoft.

Total 9

Absent or not voting: Cobb, Nathe, Rapp-Svrcek, Mr. Speaker.

Total 4

HB 862 - Representative Winslow moved that HB 862 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bardanouve, Grinde, Jones, Whalen.

Total 4

Excused: Fritz, Keenan, Kennerly, Moore, Poff, Ramirez, Thoft.

Total 7

Absent or not voting: Ellison, Nathe, Sales, Swift.

Total 4

Representative Kennerly present at this time.

HB 155 - Representative Bardanouve moved that HB 155 do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Whalen, Winslow, Mr. Speaker.

Total 72

Noes: Bachini, Brandewie, Campbell, Cobb, Gilbert, Glaser, Grinde, Hanson, Jones, Nelson, Patterson, Peterson, Phillips, Pistoria, Roth, Sales, Sands, Simon, Smith, Thomas.

Total 20

Excused: Fritz, Keenan, Moore, Poff, Ramirez, Thoft.

Total 6

Absent or not voting: Wallin, Williams.

Total 2

HB 436 - Representative Rehberg moved that HB 436 be placed below HB 896 on the second reading board because Representative Ramirez is out of the chamber. Motion carried.

HB 890 - Representative Hannah moved that HB 890 be placed at the top of the second reading board. Motion carried.

HB 890 - Representative Hannah moved that HB 890, second reading copy, be amended as follows:

1. Page 5, line 24.

Following: "~~section 5~~"

Insert: "after a county has certified to the department of commerce that it has expended an amount equal to anticipated direct motor vehicle fee revenues under 61-3-509(2) for the current fiscal year"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell,

Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Fritz, Keenan, Moore, Poff, Ramirez, Thoft.

Total 6

Absent or not voting: Menke, Peterson, Sales, Spaeth, Wallin, Williams, Winslow.

Total 7

Representative Hannah moved that HB 890, as amended, do pass.

Representative D. Brown made a substitute motion that HB 890, do not pass. After speaking on the issue, he withdrew his motion.

Representative Swysgood made a substitute motion that HB 890, second reading copy, be further amended. Amendment failed. (21-72)

Representatives Fritz, Keenan, and Ramirez present at this time.

HB 890, as amended, passed as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Gilbert, Glaser, Grady, Grinde, Hannah, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stratford, Strizich, Swift, Switzer, Thomas, Wallin, Winslow, Mr. Speaker.

Total 64

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cohen, Connelly, Corne', Eudaily, Fritz, Giacometto, Gould, Hansen, Hanson, Harper, Harrington, Holliday, Kadas, Kennerly, Lory, Miles, Moore, Peck, Raney, Rapp-Svrcek, Ream, Russell, Spaeth, Squires, Stang, Swysgood, Vincent, Whalen, Williams.

Total 35

Paired: Poff, Swift, Ayes; Harper, Moore, Noes.

Excused: Thoft.

Total 1

Absent or not voting: None.

Total 0

HB 867 - Representative Devlin moved that HB 867, second reading copy, be amended as follows:

1. Page 2, line 24.

Strike: "1989"

Insert: "1988, and unless Montana is still in consideration for this site, the balance will revert to the general fund"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp,

Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 91

Noes: Bachini.

Total 1

Excused: Moore, Poff, Thoft.

Total 3

Absent or not voting: Hannah, Harper, O'Connell, Williams, Mr. Speaker.

Total 5

Representative Vincent moved that HB 867, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harrington, Holliday, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 66

Noes: Asay, Bardanouve, Campbell, Cobb, Compton, Devlin, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Nelson, Phillips, Poulsen, Rapp-Svrcek, Sales, Sands, Simon, Stang, Swift, Switzer, Swysgood, Mr. Speaker.

Total 30

Excused: Moore, Poff, Thoft.

Total 3

Absent or not voting: Harper.

Total 1

HB 887 - Representative Asay moved that HB 887 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Campbell, Gould, Grinde, Hoffman, Jones, Kitselman, Menke, Meyers, Nelson, Peck, Phillips, Sales, Sands, Smith, Swift, Switzer, Swysgood, Thomas, Wallin.

Total 19

Excused: Moore, Poff, Thoft.

Total 3

Absent or not voting: D. Brown, Peterson.

Total 2

HB 896 - Representative Mercer moved that HB 896, second reading copy, be amended as follows:

1. Title, line 5.

Following: "SPEED LIMIT"

Insert: "ON RURAL FEDERAL-AID INTERSTATE HIGHWAYS"

2. Page 1, line 14.

Following: "highway"

Insert: "outside an urbanized area of 50,000 population or more"

3. Page 1, line 15.

Following: "on"

Insert: "federal-aid interstate highways within an urbanized area of 50,000 population or more or on"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Jones, Patterson, Poulsen, Strizich.

Total 4

Excused: Moore, Poff, Thoft.

Total 3

Absent or not voting: Hannah, Kadas, Menke, Pistoria.

Total 4

Representative Mercer moved that HB 896, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Devlin.

Total 1

Excused: Moore, Poff, Thoft.

Total 3

Absent or not voting: Bardanouve, Hannah, Phillips, Ream.

Total 4

HB 436 - Representative Ramirez moved that HB 436 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cobb, Daily, Fritz, Meyers, Patterson, Pavlovich.

Total 6

Excused: Moore, Poff, Thoft.

Total 3

Absent or not voting: Grinde, Menke.

Total 2

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (91-4)

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 31, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 19, 180, 242, 388, 389, 505, 682, 792, and 815 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

March 31, 1987

The Honorable Robert Marks

Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 374 "AN ACT TO AUTHORIZE THE STATE BANKING BOARD TO ISSUE A CERTIFICATE OF AUTHORITY WITHOUT HEARING IN CERTAIN CIRCUMSTANCES; AND AMENDING SECTION 32-1-204, MCA," without my signature and recommend the attached amendments for the following reasons.

Montana law currently requires the State Banking Board to go through a lengthy notice and hearing process before a new charter may be granted, even in a failed bank situation. Senate Bill No. 374 enacts a much needed provision that will allow the State Banking Board to adopt rules to issue emergency certificates of authority for the immediate rechartering of a state chartered bank that has been purchased after its failure has been declared. The federal banking laws already contain a similar provision for federally chartered banks.

Unfortunately Senate Bill No. 374, as approved, is not effective until October 1, 1987. Because of the difficult situation facing the state's banking community, it is prudent to have this important tool in effect as soon as possible. My amendments would give the bill an immediate effective date.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 374

1. Title, line 7.

Following: "CIRCUMSTANCES;"

Strike: "AND"

2. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2.

Following: line 16

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval"

Sincerely,

Ted Schwinden
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bill was introduced, read first time, and referred to committee:

SJR 15, introduced by Hammond. Referred to Committee on Agriculture.

MOTIONS

Representative Hannah moved that the House stand in recess until 1:00 p.m. Motion carried.

House recessed at 12:00 noon.

House reconvened at 1:05 p.m.

Mr. Speaker in the Chair.

The floor leaders announced party caucuses.

Representative Hannah moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 1:10 p.m.

House reconvened at 2:50 p.m.

Mr. Speaker in the Chair.

Representative Poulsen excused at this time.

Representative Moore present at this time.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/30/87

HB 146, introduced by Spaeth

HB 200, introduced by Miles

HB 259, introduced by Winslow

HB 353, introduced by Gould

HB 367, introduced by Miller

HB 428, introduced by Connelly

HB 453, introduced by Brandewie

HB 455, introduced by Miles

HB 480, introduced by Miles

HB 488, introduced by Ramirez

HB 519, introduced by O'Connell

HB 571, introduced by Daily

HB 614, introduced by Miller

HB 619, introduced by Giacometto

HB 623, introduced by Harrington

HB 647, introduced by Bulger

HB 674, introduced by Mercer

HB 690, introduced by Glaser

HB 708, introduced by Nelson

HB 720, introduced by Spaeth

HB 725, introduced by Strizich

HB 777, introduced by Ream

HB 818, introduced by Nathe

HB 819, introduced by Nathe

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/30/87

HB 73, introduced by Bradley

HB 102, introduced by Grady

HB 152, introduced by Bardanouve

HB 167, introduced by Gilbert

HB 179, introduced by C. Smith

HB 207, introduced by Addy

HB 211, introduced by Devlin

HB 219, introduced by Holliday

HB 241, introduced by Spaeth

HB 283, introduced by Darko

HB 284, introduced by Darko

HB 286, introduced by Spaeth

HB 300, introduced by Lory

HB 302, introduced by Bradley

HB 309, introduced by Quilici

HB 322, introduced by Eudaily

HB 325, introduced by Mercer

HB 329, introduced by Ream

HB 356, introduced by Harrington

HB 381, introduced by Grady

HB 387, introduced by Keenan

HB 393, introduced by Lory

HB 400, introduced by Manuel

HB 406, introduced by Grady

HB 426, introduced by Campbell

HB 437, introduced by Swysgood

HB 442, introduced by Mercer

HB 459, introduced by Keenan

HB 462, introduced by Miles

HB 470, introduced by Miles

HB 478, introduced by Thomas

HB 495, introduced by Corne'

HB 501, introduced by Cody

- HB 503**, introduced by Bradley
- HB 504**, introduced by Kadas
- HB 506**, introduced by S. Hansen
- HB 509**, introduced by Schye
- HB 530**, introduced by Ellison
- HB 534**, introduced by Hannah
- HB 554**, introduced by Daily
- HB 564**, introduced by M. Williams
- HB 567**, introduced by Ramirez
- HB 570**, introduced by Brandewie
- HB 577**, introduced by D. Brown
- HB 592**, introduced by Harp
- HB 610**, introduced by D. Brown
- HB 611**, introduced by D. Brown
- HB 622**, introduced by Brandewie
- HB 626**, introduced by Fritz
- HB 639**, introduced by Corne'
- HB 641**, introduced by Menahan
- HB 642**, introduced by Spaeth
- HB 648**, introduced by Holliday
- HB 670**, introduced by Bachini
- HB 697**, introduced by Connelly
- HB 718**, introduced by Harper
- HB 733**, introduced by Quilici
- HB 740**, introduced by Cobb
- HB 741**, introduced by Harp
- HB 748**, introduced by Ramirez
- HB 750**, introduced by Gilbert
- HB 772**, introduced by Brandewie
- HB 789**, introduced by Harper
- HB 806**, introduced by Pavlovich
- HB 839**, introduced by Sands

MOTIONS

Representative Poulsen present at this time.

Representative Hannah moved that HB 2 be placed at the bottom of the second reading board. Motion carried.

Representative Bradley moved that HB 872, the Museum of the Rockies bill, be taken from the table in the Committee on Appropriations and printed and placed on second reading. Motion failed. (41-55)

Representative Ramirez moved that HB 904, the income tax revision bill, be taken from second reading and rereferred to the Committee on Taxation, because that committee had not been allowed to review it. Motion failed. (40-58)

Representative Ramirez moved that HB 904 be taken from second reading and rereferred to the Committee on Rules. Motion failed. (41-58)

Representative Ramirez moved for a Call of the House. About thirty representatives stood up to second the call. The Speaker asked that the Chamber be secured, and asked the Sergeant-at-Arms to locate and send for the missing members, Representatives Poff and Thoft.

Representative Vincent arose on point of personal privilege, asking whether a motion to remove the call was debatable. The Chair ruled that the motion indeed was debatable.

Representative Vincent asked for a report on the missing members. The Sergeant reported that Representative Poff was having medical tests in Great Falls, and was on his way to Helena. Representative Thoft was driving back from a family emergency in California, and had left Ely, Nevada this morning, expecting to arrive home in Stevensville late tonight.

Representative Poff returned at 4:30 p.m.

Representative Vincent moved to lift the Call of the House, which requires a two-thirds vote. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 60

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin.

Total 39

Excused: Thoft.

Total 1

Absent or not voting: None.

Total 0

House stood at ease at 4:42 p.m.

House came to order at 9:00 p.m.

Mr. Speaker in the Chair.

Representative Vincent moved to lift the Call of the House. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nelson, Nisbet, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 60

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Moore, Nathe, Patterson, Peterson, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin.

Total 38

Excused: Thoft.

Total 1

Absent or not voting: O'Connell.

Total 1

Representative Vincent suggested that the National Guard be asked to bring cots and blankets.

House stood at ease.

House came to order at 9:55 p.m.

Mr. Speaker in the Chair.

Representative Vincent moved to lift the Call of the House. Representative Mercer made a substitute motion that the House adjourn until 9:00 a.m. the 72nd legislative day, a motion that would require a simple majority. Motion failed as follows:

Ayes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Swift, Switzer, Swysgood, Thomas, Wallin, Mr. Speaker.

Total 41

Noes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Whalen, Williams, Winslow.

Total 58

Excused: Thoft.

Total 1

Absent or not voting: None.

Total 0

The Vincent motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams, Winslow.

Total 62

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Nathe, Patterson, Peterson, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Thomas, Wallin.

Total 36

Excused: Thoft.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

House stood at ease.

House came to order at 12:55 a.m.

Mr. Speaker in the Chair.

Representative Vincent moved to lift the Call of the House. Motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 62

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Thomas, Wallin.

Total 37

Excused: Thoft.

Total 1

Absent or not voting: None.

Total 0

Representative Mercer moved the House adjourn until 9:00 a.m. the 72nd legislative day. Motion failed as follows:

Ayes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Thomas, Wallin, Mr. Speaker.

Total 39

Noes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harp, Harper, Harrington, Holliday, Jenkins, Jones, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams, Winslow.

Total 60

Excused: Thoft.

Total 1

Absent or not voting: None.

Total 0

House stood at ease.

Representative Vincent asked that the Speaker make sleeping arrangements for the members.

House came to order at 2:00 a.m.

Mr. Speaker in the Chair.

Representative Hannah moved to lift the Call of the House. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Eudaily, Fritz, Glaser, Grady, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Asay, Campbell, Cobb, Devlin, Driscoll, Ellison, Giacometto, Gilbert, Gould, Grinde, Hanson, Hayne, Keller, Kitselman, Menke, Peterson, Ramirez, Rehberg, Roth, Sands, Stratford, Swift, Switzer, Thomas, Wallin.

Total 25

Excused: Thoft.

Total 1

Absent or not voting: Hoffman, Nathe.

Total 2

Representative Hannah moved that the rules be suspended to allow the following bills to be heard on both second and third reading the 72nd legislative day: HB 627, HB 787, HB 884, HB 889, HB 894, HB 895, HB 901, HB 903, HB 904, HB 905, HB 906, and HB 2. Motion carried. (72-26)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/31/87

Correctly printed: HB 787, HB 884, HB 894, HB 895, HB 901, HB 903, HB 905, HB 909, HJR 46, HJR 48.

Correctly engrossed: HB 38, HB 861.

Correctly enrolled: HB 53, HB 69, HB 121, HB 236, HB 252, HB 253, HB 282, HB 363, HB 397, HB 429, HB 443, HB 454, HB 513, HB 546, HB 566, HB 579, HB 640, HB 699, HB 779, HB 804, HB 810, HB 823.

Examined by the sponsor and found to be correct:

HB 236 - Addy	HB 513 - Daily
HB 252 - M. Hanson	HB 546 - Fritz
HB 363 - Hoffman	HB 579 - Cobb
HB 429 - Schye	HB 640 - Swift
HB 443 - Corne'	HB 699 - Wallin
HB 454 - Brandewie	HB 810 - Harrington

Delivered to the Governor for his approval at 10:49 a.m.: HB 424.

APPROPRIATIONS (Donaldson, Chairman):

3/31/87

HB 593, second reading copy, be amended as follows:

1. Title, line 8.

Following: "AN"

Insert: "AN"

Following: "EFFECTIVE"

Strike: "DATES"

Insert: "DATE"

Strike: "AND A TERMINATION DATE"

2. Page 1, line 11.

Strike: "4"

Insert: "8"

3. Page 1, line 18.

Following: "decreased by"

Strike: "prohibiting"

Insert: "limiting"

4. Page 1, line 19.

Following: "services"

Insert: "to or for other state agencies or the public that are also offered by private enterprise"

5. Page 2, line 6 through page 3, line 13.

Strike: section 4 in its entirety

Renumber: subsequent sections

6. Page 3.

Following: line 21

Insert: "and"

7. Page 3, line 24.

Strike: "; and" through "regents" on page 4, line 1

8. Page 4, line 6.

Following: "activities"

Strike: "that may be affected by [this act]"

Insert: "that may affect the purpose of [this act] as defined in [section 2]"

9. Page 4, line 7.

Strike: subsection (b) in its entirety

Insert: "(b) evaluate whether each activity is in accord with the purpose of [this act] as defined in [section 2]."

10. Page 4, line 9.

Following: "(4)"

Strike: "For those activities authorized by statute, the"

Insert: "The"

11. Page 4, line 13.

Strike: subsection (5) in its entirety

Renumber: subsequent subsection

12. Page 4, line 23.

Strike: section 6 in its entirety

Insert: "Section 5. Commission members are to receive no compensation for per diem, travel, or mileage."

13. Page 5, line 22.

Strike: "5"

Insert: "4"

14. Page 5, line 24.

Strike: "\$5,000"

Insert: "\$500"

15. Page 6, line 1.

Following: "act."

Insert: "All other expenses incurred by the commission, except those of the legislative council, will be paid by private enterprise contributions under the direction of the commission."

16. Page 6, line 8.

Strike: section 12 in its entirety

Insert: "Section 11. Effective date. This act is effective July 1, 1987."

And, as amended, do pass. Report adopted.

HB 865, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "\$77,101,000"

Insert: "\$96,000,000"

And, as amended, do pass. Report adopted.

HB 870, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PROVIDE" through "SCHEDULE"

Insert: "ADJUST PAY SCHEDULES"

2. Title, line 6.

Strike: "CERTIFIED"

Insert: "INSTITUTIONAL"

3. Title, lines 6 and 9.

Strike: "AT" on line 6 through "LOCATED" on line 9

4. Title, line 10.

Strike: "UPGRADING"

Insert: "ADJUSTING"

Strike: "SALARY"

5. Title, line 11.

Strike: "SCHEDULE"

Insert: "PAY SCHEDULES"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "2-18-303"

Insert: "AND 2-18-313"

6. Title, line 12.

Strike: "IMMEDIATE"

7. Page 1, line 15 through line 6, page 2.

Strike: section 1 in its entirety

Renumber: subsequent sections

8. Page 3, line 22.

Following: "provided"

Insert: "for"

9. Page 4, line 1.

Strike: "1986"

Insert: "1988"

Strike: "1987"

Insert: "1989"

10. Page 4, lines 1 through 3.

Strike: "2" on line 1 through "1" on line 3

11. Page 4, line 5.

Strike: "1985"

Insert: "1987"

12. Page 4, line 7.

Strike: "1985"

Insert: "1987"

13. Page 4, line 9.

Strike: "1986"

Insert: "1988"

14. Page 4, line 11.

Strike: "1985"

Insert: "1987"

15. Page 6.

Following: line 17

Insert: "Section 2. Section 2-18-313, MCA, is amended to read:

"2-18-313. Institutional teachers' pay schedules. (1)-(a) The 12-month pay schedule for institutional teachers for fiscal year 1986 is as follows:

Annual Hours — 2080

Pay Matrix — Teachers

Term — Twelve Months

Note: Includes Insurance

Matrix Type — Annual

—

Education Level

YEARS OF EXPERI- ENCE (Step)	BA	BA+1	BA+2	BA+3	MA	MA+1
	(Grade 1)	(Grade 2)	(Grade 3)	(Grade 4)	(Grade 5)	(Grade 6)
0	18,486	19,067	19,663	19,954	20,244	20,840
1	19,170	19,817	20,466	20,789	21,114	21,761
2	19,851	20,567	21,266	21,626	21,983	22,683
3	20,534	21,319	22,068	22,461	22,854	23,604
4	21,216	22,068	22,870	23,295	23,724	24,526
5	21,899	22,820	23,673	24,133	24,594	25,448
6	22,579	23,569	24,473	24,969	25,463	26,367
7	23,263	24,321	25,276	25,806	26,334	27,289
8	23,944	25,070	26,078	26,640	27,205	28,210
9	24,627	25,822	26,880	27,475	28,073	29,131
10	25,311	26,572	27,681	28,313	28,944	30,052

(b)—The 9-month pay schedule for institutional teachers for fiscal year 1986 is as follows:

Annual Hours — 1480
Pay Matrix — Teachers
Term — Nine Months

Note: Includes Insurance
Matrix Type — Annual
—

YEARS OF EXPERI- ENCE (Step)	Education Level					
	BA	BA+1	BA+2	BA+3	MA	MA+1
	(Grade 1)	(Grade 2)	(Grade 3)	(Grade 4)	(Grade 5)	(Grade 6)
0	14,195	14,630	15,077	15,296	15,513	15,960
1	14,708	15,193	15,680	15,922	16,166	16,651
2	15,218	15,755	16,280	16,550	16,817	17,342
3	15,731	16,319	16,881	17,176	17,471	18,033
4	16,242	16,881	17,483	17,801	18,123	18,725
5	16,754	17,445	18,085	18,430	18,776	19,416
6	17,264	18,007	18,685	19,057	19,427	20,105
7	17,777	18,571	19,287	19,685	20,081	20,797
8	18,288	19,133	19,889	20,310	20,734	21,488
9	18,800	19,697	20,490	20,936	21,385	22,178
10	19,313	20,259	21,091	21,565	22,038	22,869

(2)—(a) The 12-month pay schedule for institutional teachers for fiscal year 1987 is as follows:

Annual Hours — 2080
Pay Matrix — Teachers
Term — Twelve Months

Note: Includes Insurance
Matrix Type — Annual
—

YEARS OF EXPERI- ENCE (Step)	Education Level					
	BA	BA+1	BA+2	BA+3	MA	MA+1
	(Grade 1)	(Grade 2)	(Grade 3)	(Grade 4)	(Grade 5)	(Grade 6)
0	18,976	19,568	20,176	20,473	20,769	21,377
1	19,673	20,333	20,995	21,325	21,656	22,316
2	20,368	21,093	21,811	22,179	22,543	23,257
3	21,065	21,865	22,629	23,030	23,431	24,196
4	21,760	22,629	23,447	23,881	24,318	25,137
5	22,457	23,396	24,266	24,736	25,206	26,077
6	23,151	24,160	25,082	25,588	26,092	27,014
7	23,848	24,927	25,902	26,442	26,981	27,955
8	24,543	25,691	26,720	27,293	27,869	28,894
9	25,240	26,458	27,538	28,145	28,754	29,834
10	25,937	27,223	28,355	28,999	29,643	30,773

(b)—The 9-month pay schedule for institutional teachers for fiscal year 1987 is as follows:

Annual Hours — 1480
 Pay Matrix — Teachers
 Term — Nine Months

Note: Includes Insurance
 Matrix Type — Annual
 —

Education Level

YEARS OF EXPERI- ENCE (Step)	BA (Grade 1)	BA+1 (Grade 2)	BA+2 (Grade 3)	BA+3 (Grade 4)	MA (Grade 5)	MA+1 (Grade 6)
0	14,592	15,036	15,492	15,715	15,937	16,392
1	15,115	15,610	16,106	16,354	16,602	17,097
2	15,636	16,184	16,718	16,994	17,267	17,803
3	16,159	16,759	17,332	17,632	17,932	18,507
4	16,680	17,322	17,945	18,271	18,599	19,213
5	17,203	17,907	18,560	18,912	19,265	19,918
6	17,723	18,480	19,172	19,551	19,929	20,621
7	18,246	19,055	19,787	20,192	20,596	21,326
8	18,767	19,628	20,400	20,830	21,262	22,031
9	19,290	20,204	21,014	21,469	21,926	22,736
10	19,813	20,777	21,626	22,109	22,592	23,440

The department of institutions shall adjust the 1987 pay schedules for institutional teachers so that the cost of implementing the adjusted schedules is equal to the appropriation provided for in [section 3]. The adjusted schedules must be applied as provided in 2-18-303."

16. Page 6, line 19.

Strike: "\$67,400"

Insert: "\$98,667"

17. Page 6, line 21.

Strike: "upgrading"

Insert: "adjusting"

Strike: "salary"

Insert: "pay"

Following: "schedules for"

Strike: "the"

18. Page 6, line 22.

Strike: "certified"

Insert: "institutional"

19. Page 6, lines 22 and 23.

Strike: "at" on line 22 through "school" on line 23

Insert: "as provided in 2-18-313"

20. Page 6.

Following: line 23

Insert: "NEW SECTION. Section 4. Coordination instruction. If House Bill No. 223 and this act are passed and approved, the amendments to 2-18-303(3)(a) and 2-18-313 contained in House Bill No. 223 are void."

Renumber: subsequent section

21. Page 6, line 25.

Strike: "on" through "approval"

Insert: "July 1, 1987"

And, as amended, do pass. Report adopted.

HB 871, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PRESCRIBE" through "SCHEDULE"

Insert: "ADJUST THE SALARIES"

2. Title, line 6.

Strike: "PROFESSIONAL"

Insert: "CERTIFIED OR LICENSED"

Strike: "AND STAFF"

3. Title, lines 7 through 11.

Strike: "THAT" on line 7 through "BLIND" on line 11

4. Title, line 12.

Strike: "UPGRADING"

Insert: "ADJUSTING"

Strike: "SALARY SCHEDULE"

Insert: "SALARIES"

5. Title, line 13.

Strike: "IMMEDIATE"

6. Page 1, line 16.

Strike: "staff"

Insert: "faculty"

7. Page 1, line 17.

Strike: "professional"

Insert: "certified or licensed"

Strike: "and staff"

8. Page 1, line 19 through line 7, page 2.

Strike: "," on line 19, page 1 through "(1)" on line 7, page 2

Insert: "adjust the salaries for certified or licensed faculty so that the cost of the adjustment is equal to the appropriation in [section 2]"

9. Page 2, line 9.

Strike: "\$150,000"

Insert: "\$23,029"

10. Page 2, line 11.

Strike: "upgrading"

Insert: "adjusting"

Strike: "salary schedule"

Insert: "salaries"

Strike: "professional"

Insert: "certified or licensed"

11. Page 2, line 12.

Strike: "and staff"

12. Page 2, lines 21 and 22.

Strike: "on" on line 21 through "approval" on line 22

Insert: "July 1, 1987"

And, as amended, do pass. Report adopted.

HB 909, do pass. Report adopted.

Representative Mercer moved that the House adjourn until 11:00 a.m., April 1, 1987.

Motion carried.

House adjourned at 2:14 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 1, 1987

House Chambers
State Capitol

House convened at 10:10 a.m., Mr. Speaker Pro Tem in the Chair. Invocation by Representative Wallin. Pledge of Allegiance to the Flag.

Roll call. All members present except Speaker Marks and Donaldson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventieth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

March 31, 1987

Dear Speaker Marks:

Please be informed that I signed House Bill No. 645 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 1, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 4, 28, 66, 141, 261, 263, 386, 430, 483, 487, 493, 533, and 769 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April, 1987

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 532, "AN ACT ELIMINATING THE REQUIREMENT THAT COUNTY

TREASURERS MUST ISSUE A RECEIPT IF A PAYMENT IS RECEIVED THROUGH THE MAIL OR BY ELECTRONIC MEANS; AND AMENDING SECTIONS 7-6-2116 AND 15-16-104, MCA," without my signature and recommend the attached amendments for the following reasons.

House Bill No. 532, as passed, is effective on October 1, 1987. If the bill were made effective on passage and approval, counties would not be required to issue receipts for the second half of the 1986 property taxes, which are due on May 31. This would result in substantial savings of county dollars statewide. For example, Cascade County officials estimate that this would save their county approximately \$12,000.

My amendments, proposed at the request of Representative Poulsen, chief sponsor, would add an immediate effective date. I urge your concurrence in these amendments.

Governor's Proposed Amendments
to House Bill No. 532

1. Title.

Following: line 9

Strike: "AND"

2. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2.

Following: line 16

Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval."

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

3/30/87

HB 47, introduced by Harrington

HB 385, introduced by Kadas

HB 457, introduced by J. Brown

HB 465, introduced by Cobb

HB 482, introduced by Schye

HB 590, introduced by Strizich

HB 598, introduced by Rapp-Svrcek

HB 730, introduced by Bachini

HB 737, introduced by D. Brown

HJR 6, introduced by Schye

HJR 24, introduced by Swift

HJR 26, introduced by Winslow

HJR 32, introduced by Vincent

HJR 34, introduced by Winslow

HJR 39, introduced by Connelly

HJR 40, introduced by Asay

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/30/87

HJR 37, introduced by Glaser

House bill concurred in as amended, with statement of intent added, and returned to the House for concurrence in Senate amendments and statement of intent: 3/30/87

HB 661, introduced by Spaeth

House bill indefinitely postponed and returned to the House: 3/30/87

HB 466, introduced by D. Brown

HB 491, introduced by Spaeth, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed by the Senate and is returned to the House with the following vote: 3/30/87

YEAS - 50

NAYS - 0

HB 721, introduced by Thomas, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, concurred in as amended by the Senate and is returned to the House for concurrence in Senate amendments with the following vote: 3/30/87

YEAS - 31

NAYS - 19

HB 760, introduced by Ream, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed by the Senate and is returned to the House with the following vote: 3/30/87

YEAS - 35

NAYS - 15

House bill not concurred in and returned to the House: 3/31/87

HB 678, introduced by Connelly

Conference committee report rejected by the Senate: 3/31/87

HB 206, conference committee report

House bills concurred in and returned to the House: 4/1/87

HB 222, introduced by Thomas

HB 512, introduced by Ream

HB 523, introduced by Pavlovich

HB 535, introduced by Ellison

HB 607, introduced by Keenan

HB 658, introduced by Menahan

HB 794, introduced by M. Williams

HB 825, introduced by McCormick

HJR 43, introduced by Winslow

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/1/87

HB 5, introduced by Thoft

HB 39, introduced by Donaldson

HB 409, introduced by Miles

HB 583, introduced by Donaldson

HB 606, introduced by Glaser

Free conference committee report adopted: 4/1/87

SB 151, free conference committee report

House bill concurred in with statement of intent added and returned to the House for concurrence in the statement of intent: 4/1/87

HB 817, introduced by Glaser

MOTIONS

Representative Smith moved that HB 884 be placed below HB 906 on the second reading board, because the Speaker, who was away at a funeral, wanted to amend the bill. Motion carried.

Representative Hannah moved that the rules be suspended to allow HB 593, HB 865, HB 870, HB 871, and HB 909 to be heard on both second and third reading this day. Motion carried.

Representative Hannah moved that HB 901 be placed below HB 889 on the second reading board. This would put all the law enforcement academy bills together for debate. Motion carried.

Representative Hannah moved that the House adopt the following temporary rules for the debate of HB 2:

1. The Appropriations Committee chairman, in presenting the bill, will not be subject to the five minute speaking limitation.

2. Each Appropriation Subcommittee chairman will fully explain his or her portion of the bill without questions or amendments being offered until the presentation by the chairman is complete. Chairmen will not be subject to the five minute speaking limitation.

3. After the presentation by the subcommittee chairman, the respective section of the bill will be opened for debate, questions and amendments.

4. All amendments which impact more than one section of the bill must be moved in the first section being considered.

5. Following completion of the debate on each section, it will be closed and not be reopened except by majority vote.

6. When a member moves to reopen a section for amendment, only the amendment of that member will be entertained. Another member wishing to amend the same section will have to make a separate motion to reopen the section.

7. Debate on the motion to reopen a section is limited to the question of reopening the section. The amendment itself cannot be debated at that

time. This does not prohibit the member from explaining the amendment to be considered.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Campbell excused at this time.

HB 627 - Representative Strizich moved that HB 627 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Squires, Stang, Strizich, Thomas, Vincent, Whalen, Williams, Winslow.
Total 74

Noes: Devlin, Ellison, Giacometto, Grinde, Hannah, Hanson, Hoffman, Jones, Menke, Meyers, Nathe, Patterson, Peck, Sales, Simon, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin.
Total 22

Excused: Campbell, Donaldson, Mr. Speaker.
Total 3

Absent or not voting: Moore.
Total 1

HB 787 - Representative Addy moved that HB 787 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bradley, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Eudaily, Fritz, Gilbert, Glaser, Gould, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Miles, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow.
Total 65

Noes: Bachini, Brandewie, Cobb, Cody, Devlin, Ellison, Giacometto, Grady, Grinde, Hanson, Harp, Iverson, Jenkins, Jones, Koehnke, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Peck, Poulsen, Sales, Swift, Switzer, Thoft, Thomas, Mr. Speaker.
Total 31

Paired: Rehberg, Aye; Mr. Speaker, No.

Excused: Campbell, Donaldson.

Total 2

Absent or not voting: Bardanouve, Driscoll.

Total 2

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (90-5)

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 1:30 p.m. Motion carried.

House recessed at 12:00 noon.

House reconvened at 1:30 p.m.

Mr. Speaker in the Chair.

Representative Donaldson present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 889 - Representative Winslow moved that HB 889 be placed below HB 895 on the second reading board. Representative Grinde made a substitute motion that HB 889 be placed below HB 903 on the second reading board. Motion carried.

HB 901 - Representative Rehberg moved that HB 901 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Harper, Stang.

Total 2

Excused: Campbell.

Total 1

Absent or not voting: Bulger, Cohen, Compton, Kennerly, Menahan, Russell.

Total 6

HB 894 - Representative Pavlovich moved that HB 894 do pass. Representative Simon made a substitute motion that HB 894, second reading copy, be amended as follows:

1. Page 6.

Following: line 18

Insert: "NEW SECTION. Section 11. Coordination instruction. If either House Bill No. 895 or House Bill No. 903 fails to be passed and approved, then this act is void."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Brandewie, D. Brown, Connelly, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Wallin, Williams, Mr. Speaker.

Total 62

Noes: Addy, Asay, Bradley, J. Brown, Bulger, Cobb, Cody, Cohen, Corne', Daily, Darko, Fritz, Giacometto, Hannah, Hansen, Harper, Keenan, Kennerly, Miles, Miller, Moore, Peck, Raney, Rapp-Svrcek, Ream, Russell, Spaeth, Squires, Swift, Thoft, Vincent, Whalen, Winslow.

Total 33

Excused: Campbell.

Total 1

Absent or not voting: Compton, Harrington, Iverson, Menahan.

Total 4

HB 894, as amended, passed as follows:

Ayes: Addy, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kitselman, Lory, Manuel, Menke, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Smith, Spaeth, Squires, Strizich, Switzer, Swysgood, Thoft, Whalen.

Total 55

Noes: Asay, Bachini, Bardanouve, Bradley, Brandewie, Cody, Corne', Devlin, Ellison, Fritz, Giacometto, Hannah, Hansen, Harp, Harper, Hayne, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Menahan, Mercer, Meyers, Miles, Nathe, Nelson, Peck, Peterson, Raney, Sales, Sands, Schye, Simon, Stang, Stratford, Swift, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 45

Paired: Campbell, Aye; Menahan, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 895 - Representative Simon moved that HB 895, second reading copy, be amended as follows:

1. Page 4.

Following: line 24

Insert: "NEW SECTION. Section 9. Coordination instruction. If either House Bill No. 894 or House Bill No. 903 fails to be passed and approved, then this act is void."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Brandewie, D. Brown, Cobb, Compton, Connelly, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Strizich, Switzer, Swysgood, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Asay, Bradley, J. Brown, Bulger, Cody, Cohen, Corne', Darko, Giacometto, Hansen, Harper, Holliday, Keenan, Kennerly, Menahan, Miles, Moore, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Stratford, Swift, Thoft, Thomas, Vincent, Whalen.

Total 33

Excused: Campbell.

Total 1

Absent or not voting: None.

Total 0

Representative Phillips moved that HB 895, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Bachini, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Daily, DeMars, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Russell, Smith, Spaeth, Squires, Strizich, Switzer, Swysgood, Whalen.

Total 53

Noes: Asay, Bradley, Brandewie, Campbell, Cody, Corne', Darko, Devlin, Donaldson, Ellison, Fritz, Giacometto, Hannah, Hansen, Harp, Harper, Hayne, Jones, Kadas, Keenan, Keller, Kennerly, Menahan, Mercer, Meyers, Miles, Moore, Nelson, Peterson, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Simon, Stang, Stratford, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 46

Paired: Eudaily, Aye; Campbell, No.

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 903 - Representative Simon moved that HB 903, second reading copy, be amended as follows:

1. Page 3.

Following: line 18

Insert: "NEW SECTION. Section 6. Coordination instruction. If either House Bill No. 894 or House Bill No. 895 fails to be passed and approved, then this act is void."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Brandewie, D. Brown, Cobb, Compton, Connelly, Daily, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Strizich, Switzer, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 65

Noes: Addy, Asay, Bachini, Bradley, J. Brown, Bulger, Cody, Cohen, Corne', Darko, Ellison, Fritz, Giacometto, Hansen, Harper, Holliday, Keenan, Kennerly, Miles, Moore, Peck, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Swift, Thoft, Vincent, Whalen.

Total 32

Excused: Campbell.

Total 1

Absent or not voting: Bardanouve, Hannah.

Total 2

Representative Grinde moved that HB 903, as amended, do pass.
Motion carried as follows:

Ayes: Addy, D. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Daily, DeMars, Devlin, Driscoll, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hoffman, Holliday, Iverson, Jenkins, Kitselman, Lory, Manuel, Menke, Mercer, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Russell, Smith, Squires, Strizich, Switzer, Swysgood, Whalen, Mr. Speaker.

Total 49

Noes: Asay, Bachini, Bradley, Brandewie, J. Brown, Cody, Corne', Darko, Donaldson, Ellison, Fritz, Giacometto, Hansen, Harp, Harper, Hayne, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, McCormick, Menahan, Meyers, Miles, Nathe, Nelson, Peck, Peterson, Pistoria, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Simon, Spaeth, Stang, Stratford, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 48

Excused: Campbell.

Total 1

Absent or not voting: Bardanouve, Harrington.

Total 2

Representative Rapp-Svrcek excused at this time.

HB 889 - Representative Winslow moved that HB 889 do pass. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Russell, Sales, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 67

Noes: Addy, Bachini, Bardanouve, Bradley, Cohen, Connelly, Darko, Driscoll, Hansen, Harper, Kadas, Keenan, Menahan, Miles, Moore, Nelson, Nisbet, Peck, Poulsen, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 31

Paired: Rapp-Svrcek, Aye; Darko, No.

Excused: Campbell.

Total 1

Absent or not voting: Thoft.

Total 1

HB 904 - Representative Phillips moved that HB 904, second reading copy, be amended. Amendment failed. (44-54)

Representative Marks moved that HB 904, second reading copy, be amended. Amendment failed. (47-53)

Representative Schye in the Chair.

Representative Raney excused at this time.

Representative Sands moved that HB 904, second reading copy, be amended. Amendment failed. (44-56)

Representative Ramirez moved that HB 904, second reading copy, be amended. Amendment failed. (43-57)

Representative Raney present at this time.

Representative Thomas moved that HB 904, second reading copy, be amended. Amendment failed. (44-56)

Representative Ramirez moved that HB 904, second reading copy, be amended. Amendment failed. (46-53)

Representative Jenkins moved that HB 904, second reading copy, be amended. Amendment failed. (31-67)

Representative Ream in the Chair.

Representative Harp moved that HB 904 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Grady, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow.

†Total 57

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 43

Paired: Addy, Rapp-Svrcek, Ayes; Campbell, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Russell excused at this time.

HB 905 - Representative Winslow moved that HB 905 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Bachini, Bardanouve, Giacometto, Meyers, Peck, Poulsen.

Total 6

Paired: Campbell, Aye; Peck, No.

Excused: Rapp-Svrcek, Russell.

Total 2

Absent or not voting: None.

Total 0

HB 906 - Representative Ramirez moved that HB 906, second reading copy, be amended as follows:

1. Page 1, line 18.

Strike: "(6) and (8)"

Insert: "(5) and (7)"

2. Page 1, line 23.

Strike: "(3)" through "equipment." on page 2, line 22

3. Page 1, line 23.

Strike: "(4)"

Insert: "(3)"

Strike: "also"

4. Page 2, line 24.

Strike: "total countywide"

5. Page 2, line 25.

Strike: "less the following"

Insert: "for each taxing jurisdiction as determined by the department of revenue for certification of the mill levy for each taxing jurisdiction"

6. Page 3, line 2.

Strike: "one under" through "15-6-149" on line 14

Insert: "four, under HB No. 377;

(ii) the taxable value of all property included in class six, under HB No. 377;

(iii) the taxable value of all property included in class eight, under HB No. 377;

(iv) the taxable value of all property included in the agricultural exemptions under HB No. 377"

7. Page 3, line 15.

Strike: "total countywide"

8. Page 3, line 16.

Strike: "less the following"

Insert: "for each taxing jurisdiction as determined by the department of revenue for certification of the mill levy for each taxing jurisdiction"

9. Page 3, line 18.

Strike: "one under" through "(3)(a)" on page 4, line 10

Insert: "four, under HB No. 377

(ii) the taxable value of all property included in class six, under HB No. 377;

(iii) the taxable value of all property included in class eight, under HB No. 377;"

10. Page 4, line 11.

Strike: "(b)"

Insert: "(4)"

Strike: "also"

Strike: "county"

Insert: "taxing jurisdiction"

11. Page 4, line 12.

Strike: "countywide"

12. Page 4, line 14.

Strike: "(4) (b)"

Insert: "(3) (b)"

13. Page 4, line 16.

Strike: "(4) (a)"

Insert: "(3) (a)"

14. Page 4, line 17.

Strike: "average"

15. Page 4, line 18.

Strike: "countywide"

Strike: ", as described under subsection (3) (a)"

16. Page 4, line 19.

Strike: "(6)"
 Insert: "(5)"
 Strike: "county"
 Insert: "taxing jurisdiction"
 Renumber: subsequent subsections

17. Page 4, line 21.

Strike: "(5) (a)"
 Insert: "(4) (a)"
 Strike: "(5) (b)"
 Insert: "(4) (b)"

18. Page 4, line 22.

Strike: "to"
 Insert: "for"
 Strike: "county"
 Insert: "taxing jurisdiction"

19. Page 4, line 23.

Following: "year"
 Insert: "to each county for distribution"

20. Page 5, line 1.

Strike: "in the" through "levied" on line 2

21. Page 5, line 7.

Strike: "(6)"
 Insert: "(5)"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Driscoll, Hansen, Koehnke, Peck.

Total 4

Excused: Campbell, Rapp-Svrcek, Russell.

Total 3

Absent or not voting: None.

Total 0

Representative Ramirez moved that HB 906, as amended, do pass.
 Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez,

Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Addy, Bachini, Bradley, D. Brown, Cobb, Cohen, Corne', Daily, Darko, Driscoll, Hannah, Hansen, Harper, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Paylovich, Peck, Quilici, Raney, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 32

Paired: Campbell, Aye; Addy, No.

Excused: Rapp-Svrcek, Russell.

Total 2

Absent or not voting: None.

Total 0

Representative Gould excused at this time.

HB 884 - Representative Smith moved that HB 884 do pass.

Representative Harp excused at this time.

Representative Marks made a substitute motion that HB 884, second reading copy, be amended as follows:

1. Title, lines 9 through 12.

Strike: "TO" on line 9 through "BONDS;" on line 12

2. Title, lines 13 and 14.

Strike: "PAY" on line 13 through "AND" on line 14

3. Title, line 17.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 1, lines 24 and 25 through page 2, lines 1 and 2.

Strike: subsections (2) and (3) in their entirety

Re-number: subsequent subsections

5. Page 3, line 24.

Strike: "0.5%"

Insert: "0.2%"

6. Page 4, lines 2 through 4.

Strike: "pay" on line 2 through "1987" on line 4

Insert: "be used to reduce the unfunded liability in the state fund"

7. Page 5, line 7.

Strike: "— debt service account"

Strike: "(1)"

8. Page 5, lines 11 through 13.

Strike: "pay" on line 11 through "1987" on line 12

Insert: "reduce the unfunded liability in the state fund"

9. Page 5.

Following: line 13

Strike: remaining portion of section 4

10. Pages 6 through 10.

Strike: sections 5 through 9 in their entirety

Re-number: subsequent sections

11. Page 13, line 11.

Following: "date"

Insert: "— termination"

12. Page 13, line 12.

Following: "approval"

Insert: "and terminates June 30, 1989"

Amendment passed as follows:

Ayes: Asay, Bachini, Campbell, Cobb, Cody, Compton, Daily, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Pavlovich, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 49

Noes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nelson, Nisbet, O'Connell, Peck, Peterson, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 47

Paired: Campbell, Gould, Mercer, Ayes; Driscoll, Rapp-Svrcek, Whalen, Noes.

Excused: Harp, Russell.

Total 2

Absent or not voting: Ellison, Grinde.

Total 2

HB 884, as amended, passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Asay, Campbell, Cobb, Devlin, Giacometto, Gilbert, Hannah, Hanson, Harp, Harper, Hoffman, Kitselman, Menke, Mercer, Moore, Nathe, Phillips, Ramirez, Rehberg, Roth, Schye, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.

Total 29

Paired: Eudaily, Gould, Harrington, Rapp-Svrcek, Ayes; Campbell, Harp, Mercer, Thomas, Noes.

Excused: Russell.

Total 1

Absent or not voting: None.

Total 0

HB 593 - Representative J. Brown moved that HB 593 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Holliday, Iverson, Jenkins, Jones, Kadas, Kennerly, Kitselman, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.

Total 72

Noes: Asay, Bardanouve, Driscoll, Ellison, Giacometto, Harper, Harrington, Hayne, Hoffman, Keenan, Keller, Koehnke, Lory, McCormick, Meyers, Miles, O'Connell, Peterson, Poff, Ream, Squires, Wallin.

Total 22

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Mr. Speaker.

Total 1

HB 865 - Representative Donaldson moved that consideration of HB 865 be passed for the day because the bill is no longer necessary. Motion carried.

HB 870 - Representative Harper moved that HB 870 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Giacometto, Jones, Meyers, Ramirez, Sales, Sands.

Total 7

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: None.

Total 0

HB 871 - Representative Miller moved that HB 871 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Cobb, Meyers, Ramirez, Sales, Sands.
Total 5

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.
Total 5

Absent or not voting: Smith.
Total 1

HB 909 - Representative Bardanouve moved that HB 909 do pass.
Motion failed. (46-49)

Representative Hannah moved that HB 909 do not pass. Motion failed. (44-50)

Representative Hannah moved that the House reconsider its action in failing to pass HB 909. Motion carried.

Representative Bardanouve moved that HB 909 do pass. Motion failed. (47-47)

Representative Hannah moved that HB 909 do not pass. Motion carried as follows:

Ayes: Brandewie, D. Brown, Cobb, Cody, Compton, Daily, DeMars, Devlin, Ellison, Gilbert, Glaser, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, McCormick, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Russell, Sales, Schye, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Wallin, Whalen.
Total 48

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Grady, Hannah, Harper, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, Menahan, Miles, Miller, Moore, Peck, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Squires, Thoft, Vincent, Williams, Winslow, Mr. Speaker.
Total 47

Paired: Russell, Aye; Menahan, No.

Excused: Campbell, Gould, Harp, Rapp-Svrcek.
Total 4

Absent or not voting: Poulsen.
Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (70-25)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

Correctly printed: HB 593, HB 865, HB 870, HB 871.

4/1/87

Correctly engrossed: HB 155, HB 275, HB 436, HB 599, HB 627, HB 754, HB 787, HB 854, HB 855, HB 862, HB 867, HB 887, HB 889, HB 890, HB 894, HB 895, HB 896, HB 901, HB 903.

Correctly enrolled: HB 146, HB 200, HB 220, HB 259, HB 316, HB 353, HB 365, HB 367, HB 428, HB 455, HB 480, HB 488, HB 492, HB 571, HB 637, HB 654, HB 674, HB 725, HB 762, HB 777, HB 803, HB 818.

Examined by the sponsor and found to be correct:

HB 53 - Eudaily	HB 492 - Miles
HB 69 - Hayne	HB 566 - Keenan
HB 121 - Kadas	HB 637 - Winslow
HB 220 - DeMars	HB 654 - Addy
HB 253 - Ream	HB 762 - J. Brown
HB 282 - Lory	HB 779 - Schye
HB 316 - Addy	HB 804 - Jenkins
HB 365 - Peck	HB 823 - Squires
HB 397 - Spaeth	

Signed by the Speaker at 1:45 p.m., 3/31/87: HB 236, HB 363, HB 429, HB 443, HB 454, HB 513, HB 546, HB 579, HB 640, HB 699, HB 810.

Signed by the Speaker at 12:15 p.m.: HB 53, HB 69, HB 121, HB 253, HB 282, HB 397, HB 566, HB 779, HB 804, HB 823.

Signed by the Speaker at 1:45 p.m.: HB 252.

Signed by the Speaker at 4:15 p.m.: HB 220, HB 316, HB 365, HB 492, HB 637, HB 654, HB 762.

Delivered to the Governor for his approval at 3:08 p.m.: HB 236, HB 363, HB 429, HB 443, HB 454, HB 513, HB 546, HB 579, HB 640, HB 699, HB 810.

Delivered to the Governor for his approval at 3:20 p.m.: HB 252.

AGRICULTURE, LIVESTOCK AND IRRIGATION (Compton, Chairman): 4/1/87

SJR 15, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 38 passed as follows:

Ayes: Asay, D. Brown, Compton, Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Glaser, Grady, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kitselman, Koehnke, McCormick, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rehberg, Sales, Sands, Squires, Stratford, Swift, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 53

Noes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Donaldson, Fritz, Gilbert, Gould, Hansen, Harper, Jones, Kadas, Keenan, Kennerly, Lory, Manuel, Miles, Nelson, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Schye, Simon, Smith, Spaeth, Stang, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow.

Total 44

Paired: Eudaily, Mercer, Ayes; Gould, Rapp-Svrcek, Noes.

Excused: Campbell, Harp, Russell.

Total 3

Absent or not voting: None.

Total 0

HB 155 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Ramirez, Ream, Rehberg, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 68

Noes: Bachini, Brandewie, Cobb, Cohen, Devlin, Fritz, Gilbert, Glaser, Gould, Hanson, Jones, Koehnke, Meyers, Nathe, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Raney, Roth, Sales, Sands, Simon, Spaeth, Switzer, Thomas.

Total 28

Paired: Eudaily, Aye; Gould No.

Excused: Campbell, Harp, Rapp-Svrcek, Russell.

Total 4

Absent or not voting: None.

Total 0

HB 275 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Menke, Meyers, Peck, Ramirez, Sales, Thomas.

Total 6

Paired: Rapp-Svrcek, Aye; Menke, No.

Excused: Campbell, Gould, Harp, Russell.

Total 4

Absent or not voting: Hoffman.

Total 1

HB 436 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper,

Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Cobb, Patterson, Pavlovich.
Total 3

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.
Total 5

Absent or not voting: None.
Total 0

HB 599 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 84

Noes: Bardanouve, Driscoll, Giacometto, Hannah, Hoffman, Koehnke, Menke, Patterson, Peck, Poff, Sales.
Total 11

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.
Total 5

Absent or not voting: None.
Total 0

HB 754 passed as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hannah, Hansen, Harper, Harrington, Iverson, Jenkins, Kadas, Keenan, Kennerly, Lory, McCormick, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Roth, Schye, Simon, Smith, Spaeth, Squires, Strizich, Vincent, Whalen, Williams, Mr. Speaker.
Total 55

Noes: Asay, Bachini, Brandewie, Cobb, Compton, Connelly, DeMars, Devlin, Ellison, Giacometto, Glaser, Grinde, Hanson, Hayne, Hoffman, Holliday, Jones, Keller, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Nathe, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow.
Total 40

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.
Total 5

Absent or not voting: None.

Total 0

HB 854 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: None.

Total 0

HB 855 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Asay, Cobb, Devlin, Grinde, Hannah, Hayne, Hoffman, Jones, Menke, Meyers, Miller, Peterson, Phillips, Sales, Swift, Switzer.

Total 16

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Ellison.

Total 1

HB 861 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Daily, Darko, Devlin, Driscoll, Eudaily, Fritz, Glaser, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Schye, Spaeth, Squires, Stang, Strizich, Switzer, Thoft, Vincent, Whalen, Williams.

Total 61

Noes: Asay, Brandewie, Cody, Compton, Donaldson, Ellison, Giacometto, Gilbert, Grinde, Hannah, Hanson, Holliday, Iverson, Jones, Keller, Kitselman, Manuel, Mercer, Meyers, Nathe, Peterson, Phillips, Ramirez, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 35

Paired: Rapp-Svrcek, Russell, Ayes; Asay, Simon, Noes.

Excused: Campbell, Gould, Harp.

Total 3

Absent or not voting: DeMars.

Total 1

HB 862 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Schye, Simon, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Cohen, Ellison, Giacometto, Hansen, Jones, Meyers, Sales, Smith, Squires, Whalen.

Total 10

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Harper, Hoffman.

Total 2

HB 867 passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Harrington, Holliday, Jenkins, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 65

Noes: Asay, Bardanouve, Brandewie, Compton, Devlin, Ellison, Hannah, Hanson, Harper, Hayne, Hoffman, Iverson, Jones, Kadas, Keller, Kitselman, Menke, Mercer, Meyers, Phillips, Poulsen, Rapp-Svrcek, Sales, Sands, Simon, Stang, Swift, Switzer, Swysgood, Thomas, Mr. Speaker.

Total 31

Paired: Keenan, Aye; Rapp-Svrcek, No.

Excused: Campbell, Gould, Harp, Russell.

Total 4

Absent or not voting: None.

Total 0

HB 887 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Grinde, Jones, Kitselman, Menke, Meyers, Nelson, Peck, Peterson, Phillips, Sales, Sands, Simon, Swysgood, Thomas, Wallin.

Total 15

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Ellison, Poulsen.

Total 2

HB 890 passed as follows:

Ayes: Bardanouve, Brandewie, D. Brown, Cobb, Cody, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Gilbert, Glaser, Grady, Grinde, Hannah, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Winslow.

Total 66

Noes: Addy, Asay, Bachini, Bradley, J. Brown, Bulger, Cohen, Connelly, Corne', Eudaily, Fritz, Giacometto, Gould, Hansen, Hanson, Jones, Kadas, Kennerly, Miles, Moore, Peck, Raney, Rapp-Svrcek, Ream, Spaeth, Squires, Stang, Swysgood, Whalen.

Total 29

Paired: Hannah, Mercer, Ayes; Gould, Rapp-Svrcek, Noes.

Excused: Campbell, Harp, Russell.

Total 3

Absent or not voting: Williams, Mr. Speaker.

Total 2

HB 896 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria,

Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Bardanouve.

Total 1

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: None.

Total 0

HB 627 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Grady, Hansen, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Brandewie, Devlin, Donaldson, Ellison, Giacometto, Grinde, Hannah, Hanson, Jones, Menke, Patterson, Peck, Sales, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.

Total 23

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Hoffman.

Total 1

HB 901 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Cohen, Ellison, Harper, Kadas, Meyers, Sands, Stang.

Total 7

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Bardanouve.

Total 1

HB 894 passed as follows:

Ayes: Addy, Asay, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Gilbert, Glaser, Grinde, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Smith, Spaeth, Strizich, Switzer, Swysgood, Thoft, Mr. Speaker.

Total 51

Noes: Bachini, Bradley, Brandewie, Cody, Cohen, Corne', Devlin, Driscoll, Fritz, Giacometto, Grady, Hannah, Hansen, Harp, Harper, Hayne, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Meyers, Miles, Nathe, Nelson, Peck, Peterson, Pistoria, Raney, Ream, Sales, Sands, Schye, Simon, Squires, Stang, Stratford, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 45

Paired: Campbell, Eudaily, Ayes; Harp, Thomas, Noes.

Excused: Gould, Rapp-Svrcek, Russell.

Total 3

Absent or not voting: Bardanouve.

Total 1

HB 787 passed as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow.

Total 63

Noes: Bachini, Bardanouve, D. Brown, Cody, Devlin, Driscoll, Ellison, Giacometto, Grinde, Hanson, Jenkins, Jones, Koehnke, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Peck, Poulsen, Quilici, Sales, Stang, Swift, Switzer, Thoft, Thomas, Mr. Speaker.

Total 30

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Pavlovich, Pistoria.

Total 2

HB 895 passed as follows:

Ayes: Addy, Asay, Bachini, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Daily, DeMars, Eudaily, Gilbert, Glaser, Grinde, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Smith, Spaeth, Stratford, Strizich, Switzer, Swysgood.

Total 49

Noes: Bardanouve, Bradley, Brandewie, Cody, Cohen, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Grady, Hannah, Hansen, Harp, Harper, Hayne, Jones, Kadas, Keenan, Keller, Kennerly,

Menahan, Mercer, Meyers, Miles, Moore, Nelson, Peterson, Raney, Ream, Sales, Sands, Schye, Simon, Squires, Stang, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 48

Paired: Campbell, Eudaily, Ayes; Harp, Thomas, Noes.

Excused: Gould, Rapp-Svrcek, Russell.

Total 3

Absent or not voting: None.

Total 0

HB 903 passed as follows:

Ayes: Asay, D. Brown, Bulger, Campbell, Cobb, Compton, Daily, DeMars, Devlin, Ellison, Eudaily, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hoffman, Holliday, Iverson, Jenkins, Jones, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Switzer, Swysgood, Thomas, Winslow.

Total 54

Noes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Fritz, Giacometto, Grady, Hansen, Harp, Harper, Harrington, Hayne, Kadas, Keenan, Keller, Kennerly, Menahan, Meyers, Miles, Moore, Nelson, Peck, Pistoria, Raney, Ream, Sales, Spaeth, Squires, Swift, Thoft, Vincent, Wallin, Whalen, Williams.

Total 43

Paired: Campbell, Eudaily, Gould, Ayes; Harp, Keenan, Vincent, Noes.

Excused: Rapp-Svrcek, Russell.

Total 2

Absent or not voting: Mr. Speaker.

Total 1

HB 889 failed to get the necessary two-thirds vote:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Mercer, Meyers, Miller, Nathe, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 65

Noes: Addy, Bachini, Bardanouve, Bradley, Bulger, Cohen, Connelly, Darko, Driscoll, Ellison, Hansen, Harper, Harrington, Kadas, Keenan, Koehnke, Menahan, Menke, Miles, Moore, Nelson, Nisbet, Peck, Ramirez, Raney, Ream, Rehberg, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 33

Paired: Campbell, Cobb, Eudaily, Giacometto, Gould, Harp, Lory, Thomas, Winslow, Ayes; Harper, Menahan, Williams, Noes.

Excused: Rapp-Svrcek, Russell.

Total 2

Absent or not voting: None.

Total 0

HB 904 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Grady, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow.

Total 57

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 43

Paired: Harp, Harper, Harrington, Rapp-Svrcek, Russell, Ayes; Campbell, Giacometto, Gould, Hannah, Mercer, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 905 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Bardanouve, Giacometto, Meyers, Peck.

Total 4

Paired: Campbell, Aye; Peck, No.

Excused: Gould, Harp, Rapp-Svrcek, Russell.

Total 4

Absent or not voting: None.

Total 0

HB 906 passed as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Addy, Bachini, D. Brown, Cobb, Cohen, Corne', Daily, Darko, Driscoll, Hannah, Hansen, Keenan, Kennerly, Koehnke, Nisbet, Pavlovich, Peck, Quilici, Raney, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 25

Paired: Campbell, Aye; Raney, No.

Excused: Gould, Harp, Rapp-Svrcek, Russell.

Total 4

Absent or not voting: None.

Total 0

HB 884 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hansen, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nelson, Nisbet, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Asay, Cobb, Devlin, Giacometto, Hannah, Hanson, Harper, Harrington, Kitselman, Menke, Mercer, Meyers, Moore, Nathe, O'Connell, Patterson, Peck, Rehberg, Schye, Stratford, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 25

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: None.

Total 0

HB 593 passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Asay, Bardanouve, Connelly, Driscoll, Ellison, Giacometto, Harper, Harrington, Hayne, Keenan, Keller, Lory, McCormick, Miles, O'Connell, Peterson, Poff, Ream, Schye, Smith, Squires, Wallin.

Total 22

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: None.

Total 0

HB 870 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Jones, Ramirez, Sales, Sands.

Total 4

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: Meyers.

Total 1

HB 871 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Rehberg, Roth, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cobb, Hoffman, Jones, Ramirez, Sales, Sands.

Total 6

Excused: Campbell, Gould, Harp, Rapp-Svrcek, Russell.

Total 5

Absent or not voting: None.

Total 0

MOTIONS

Representative Winslow moved that the House reconsider its action in failing to pass HB 889, the Montana Growth Through Agriculture Act, by the necessary two-thirds margin on third reading this day. Motion carried.

Representative Williams moved that he be allowed to change his vote on HB 787 on third reading from no to yes. Motion carried.

Representative Eudaily moved that he be allowed to have his vote on HB 884 on third reading be recorded as yes. Motion carried.

Representative Eudaily moved that he be allowed to have his vote on HB 870 on third reading be recorded as yes. Motion carried.

Representative Hannah moved that the House adjourn until 9:00 a.m., April 2, 1987.

Motion carried.

House adjourned at 10:38 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 2, 1987

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Daily. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, DeMars, D. Brown, Moore, Sands, and Smith, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-first legislative day, find the same to be correct.

Hayne, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 889 - Representative Winslow moved that HB 889 be placed below HB 2 on the second reading board. Motion carried.

HB 2 - Representative Donaldson made the opening remarks to HB 2.

Representative Donaldson moved that HB 2 do pass.

Representative Sands present at this time.

INTRODUCTORY BOILERPLATE (Donaldson, Chairman)

Representative Donaldson moved that HB 2, introductory Boilerplate, be amended as follows:

1. Page BP-2, line 4.

Following: "appropriation."

Insert: "If the general fund appropriation of an agency is decreased pursuant to this section, the appropriation for the fund in which excess funds are received is increased in the same amount as the general fund is decreased."

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Addy, D. Brown, DeMars, Moore, Smith.

Total 5

Absent or not voting: Harp, Sales, Strizich.

Total 3

Representative D. Brown present at this time.

Representative Cobb moved that HB 2, Boilerplate, be further amended. Amendment failed. (40-51)

Representatives Addy present at this time.

Representative Cobb moved that HB 2, Boilerplate, be further amended. Amendment failed. (45-49)

Representative Cobb moved that HB 2, Boilerplate, be further amended. Amendment failed. (46-51)

Representative DeMars present at this time.

Representative Cobb moved that HB 2, Boilerplate, be further amended. Amendment failed. (45-53)

Representative Cobb moved that HB 2, Boilerplate, be further amended. Amendment failed. (47-51)

Representative Cobb moved that HB 2, Boilerplate, be further amended as follows:

1. Page BP-3.

Following: line 21

Insert: "Section 10. Plans for coordinating services. (1) Prior to using money appropriated in this act for grants or contracts for services to individuals, all executive departments, including the department of social and rehabilitation services, the department of health and environmental sciences, and the department of labor and industry, shall develop written plans for coordinating the services with similar services provided by other programs within the department or by other agencies.

(2) The plans must be prepared with an emphasis on reducing the amount of grant or contract money used for administrative costs and maximizing the amount of money used for benefits to individuals.

(3) The plans must be presented to the legislative finance committee before implementation."

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cohen, Connelly, Daily, Menahan, Nisbet, Pavlovich, Ream, Sands.

Total 8

Paired: Smith, Aye; Ream, No.

Excused: Moore.

Total 1

Absent or not voting: Kadas.

Total 1

Representative Donaldson moved that HB 2, Boilerplate portion, as amended, be closed. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Campbell, Cobb, Cohen, Devlin, Giacometto, Gilbert, Glaser, Hannah, Meyers, Nathe, Patterson, Peterson, Phillips, Sales, Sands, Switzer, Thomas.

Total 17

Excused: Moore, Smith.

Total 2

Absent or not voting: Ellison, Mercer.

Total 2

SECTION A - GENERAL GOVERNMENT AND HIGHWAYS

(Rehberg, Chairman)

Chairman Rehberg explained Section A.

Speaker Marks moved that the Committee of the Whole stand in recess until 1:15 p.m. Motion carried.

Committee of the Whole recessed at 11:30 a.m.

Committee of the Whole reconvened at 1:20 p.m.

Representative Kitselman in the Chair.

Chairman Rehberg continued his explanation of Section A, General Government and Highways.

Representative Giacometto moved that HB 2, Section A, be amended as follows:

1. Page A-6, line 11.

Strike: "101,502 104,389"

Insert: "95,748 99,224"

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Williams.

Total 48

Paired: Asay, Smith, Ayes; Harrington, Moore, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Simon moved that HB 2, Section A, be further amended as follows:

1. Page A-11, line 14.

Strike: "8,772,307 8,871,472" (under State Special Revenue column)

Insert: "8,742,307 8,841,472" (under State Special Revenue column)

Amendment passed as follows:

Ayes: Addy, Asay, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Mr. Speaker.

Total 75

Noes: Bachini, Bardanouve, Bradley, Connelly, Daily, Driscoll, Harrington, Kadas, Keenan, McCormick, Manuel, Menahan, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Ream, Russell, Schye, Squires, Vincent, Williams.

Total 23

Paired: Smith, Aye; Ream, No.

Excused: Moore.

Total 1

Absent or not voting: Winslow.

Total 1

Representative Corne' excused at this time.

Representative Rehberg moved that HB 2, Section A, be further amended as follows:

1. Page A-11, line 20.

Strike: "503,844 452,344" (federal column)

Insert: "71,633 432,211 61,333 391,011" (state spec. and fed. columns)

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Connelly, Daily, McCormick, Ream.

Total 4

Excused: Corne', Moore, Smith.

Total 3

Absent or not voting: Iverson.

Total 1

Representative Driscoll moved that HB 2, Section A, be further amended as follows:

1. Page A-13, line 25.

Strike: "51st legislature within the department's 1991 biennium budget request"

Insert: "legislative finance committee by June 30, 1987"

2. Page A-14, line 5.

Strike: "1989"

Insert: "1987"

3. Page A-14, line 6.

Following: "account."

Insert: "There is included in item 7e spending authority of \$121,091 in fiscal 1988 and \$120,925 in fiscal 1989 in a user fee account for reimbursement from user agencies for operational costs of the regional dispatch centers."

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell,

Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Kadas, Ream.

Total 2

Excused: Corne', Moore, Smith.

Total 3

Absent or not voting: Addy, Darko.

Total 2

Representative Grinde moved that HB 2, Section A, be further amended as follows:

1. Page A-14.

Strike: lines 11 and 12 in their entirety

Insert: "There is appropriated from the amount appearing in item 11 sufficient funds for the purchase of the most cost-effective facility available to house the Montana law enforcement academy."

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, D. Brown, Bulger, Campbell, Cohen, Compton, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hoffman, Holliday, Iverson, Kennerly, Kitselman, McCormick, Menahan, Mercer, Miller, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Stratford, Strizich, Swift, Switzer, Thomas, Winslow.

Total 52

Noes: Bachini, Bradley, Brandewie, J. Brown, Cobb, Cody, Connelly, Daily, Darko, Driscoll, Eudaily, Fritz, Grady, Hansen, Harper, Harrington, Hayne, Jenkins, Kadas, Keenan, Keller, Koehnke, Lory, Manuel, Menke, Meyers, Miles, Pavlovich, Quilici, Ream, Sales, Schye, Spaeth, Squires, Stang, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams.

Total 41

Excused: Corne', Moore, Smith.

Total 3

Absent or not voting: Jones, Nathe, Patterson, Mr. Speaker.

Total 4

Representative Rehberg moved that HB 2, Section A, be further amended as follows:

1. Page A-16, line 23.

Strike: "12,950 299,222 19,200 299,606"

Insert: "61,535 250,637 69,155 249,651"

2. Page A-17.

Strike: lines 5 and 6 in their entirety

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson,

Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Ream.

Total 1

Excused: Corne', Moore, Smith.

Total 3

Absent or not voting: None.

Total 0

Representative Corne' present at this time.

Representative Raney moved that HB 2, Section A, be further amended as follows:

1. Page A-17, line 13 (FY 88).

Strike: "769,479"

Insert: "428,443"

2. Page A-17, line 13 (FY 89).

Strike: "770,886"

Insert: "428,443"

Amendment passed as follows:

Ayes: Addy, Bardanouve, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Harp, Harper, Hayne, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Menke, Mercer, Meyers, Miles, Nelson, Peck, Phillips, Poulsen, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 55

Noes: Asay, Bachini, Bradley, Brandewie, D. Brown, Campbell, Compton, Daily, DeMars, Devlin, Ellison, Glaser, Grinde, Hanson, Harrington, Hoffman, Holliday, Jenkins, Lory, McCormick, Manuel, Menahan, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Ream, Schye, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Whalen.

Total 43

Paired: Smith, Aye; Harrington, No.

Excused: Moore.

Total 1

Absent or not voting: Wallin.

Total 1

Representative Jones excused at this time.

Representative Miller moved that HB 2, Section A, be further amended. Amendment failed. (32-64)

Representative Hoffman moved that HB 2, Section A, be further amended as follows:

1. Page A-17, line 15.

Strike: "7,875,721 7,944,693"

Insert: "7,847,721 7,916,693"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 64

Noes: Addy, Bradley, D. Brown, Cody, Cohen, Connelly, Corne', Daily, Fritz, Grady, Harper, Harrington, Keenan, Kennerly, Manuel, Menahan, Miles, Miller, Nisbet, Poff, Quilici, Ream, Russell, Schye, Squires, Strizich, Vincent, Whalen, Williams.

Total 29

Excused: Jones, Moore, Smith.

Total 3

Absent or not voting: DeMars, Giacometto, Hansen, Pavlovich.

Total 4

Representatives Smith and Jones present at this time.

Representative Hoffman moved that HB 2, Section A, be further amended. Amendment failed. (44-52)

Representative Pavlovich moved that HB 2, Section A, be further amended as follows:

1. Page A-18, line 10.

Strike: "13%"

Insert: "10%"

Amendment passed as follows:

Ayes: Bachini, D. Brown, Campbell, Cody, Cohen, Compton, Daily, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Holliday, Jenkins, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nathe, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Quilici, Rapp-Svrcek, Rehberg, Russell, Schye, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Whalen, Williams.

Total 49

Noes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Cobb, Connelly, Corne', Darko, Donaldson, Ellison, Gilbert, Hannah, Harp, Hayne, Hoffman, Iverson, Jones, Kadas, Keller, Kitselman, Menke, Mercer, Meyers, Nelson, Patterson, Peck, Peterson, Poff, Poulsen, Ramirez, Raney, Ream, Roth, Sands, Simon, Smith, Spaeth, Swift, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 46

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Grinde, Miller, Sales.

Total 4

Representative Roth moved that HB 2, Section A, be further amended as follows:

1. Page A-18, line 25.

Strike: "25,000" (general column fund)

Insert: "5,000"

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Jenkins, Jones, Kadas, Keller, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Poulsen, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Whalen, Winslow, Mr. Speaker.

Total 54

Noes: Addy, Asay, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Hansen, Harper, Harrington, Holliday, Iverson, Keenan, Kennerly, Kitselman, Manuel, Menahan, Nisbet, Pavlovich, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Russell, Schye, Spaeth, Squires, Strizich, Thomas, Vincent, Williams.

Total 43

Excused: Moore.

Total 1

Absent or not voting: Hannah, Smith.

Total 2

Representative Marks excused at this time.

Representative Quilici moved that HB 2, Section A, be further amended. Amendment failed. (44-52)

Representative Bardanouve moved that HB 2, Section A, be further amended as follows:

1. Page A-24, line 5.

Strike: "478,792 387,995"

Insert: "540,272 449,475"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: Brandewie, Fritz, Giacometto, Gilbert, Harp, Mercer, Meyers, Patterson, Pistoria, Thomas.

Total 10

Excused: Moore, Mr. Speaker.

Total 2

Absent or not voting: Grady, Hannah.

Total 2

Representative Thoft moved that HB 2, Section A, be further amended as follows:

1. Page A-25.

Following: line 13

Insert: "Funds remaining in the capitol land grant account of the capital projects fund, after the appropriation has been met for the general services division of the department of administration, are appropriated to the long-range building debt service fund for the payment of principal and interest on bonds issued for public buildings at the capitol for executive, legislative, and judicial purposes, as outlined in section 12 of The Enabling Act. This appropriation is for the biennium ending June 30, 1989, and is not to exceed the annual debt service required on these bonds."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 96

Noes: None.

Total 0

Excused: Moore, Mr. Speaker.

Total 2

Absent or not voting: Hannah, Jenkins.

Total 2

Representative Jenkins moved that HB 2, Section A, be further amended. Amendment failed. (15-78)

Representative Spaeth moved that HB 2, Section A, be further amended. After debate, Representative Spaeth found a technical error in the amendment and withdrew it.

Representative Marks present at this time.

Representative O'Connell moved that HB 2, Section A, be further amended. Amendment failed. (38-58)

Representative Hoffman moved that HB 2, Section A, be further amended. Amendment failed. (41-57)

Representative Spaeth moved that HB 2, Section A, be further amended. After debate, Representative Spaeth withdrew the amendment.

Representative Cobb moved that HB 2, Section A, be further amended as follows:

1. Page A-23, line 12.

Strike: "34,572 34,544" (general fund column)

"145,456 145,512" (proprietary fund column)

Insert: "180,028 180,056" (proprietary fund column)

Amendment passed as follows:

Ayes: Asay, Bachini, Brandewie, Campbell, Cobb, Compton, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Poff, Poulsen, Quilici, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 46

Excused: Moore.

Total 1

Absent or not voting: Miller.

Total 1

Representative Iverson in the Chair.

Representative Cobb moved that HB 2, Section A, be further amended as follows:

1. Page A-5.

Strike: lines 10 and 11 in their entirety

2. Page D-7.

Following: line 24

Insert: "Law Library

415,257 18,075 40,963 412,703 18,075"

Amendment passed as follows:

Ayes: Asay, Bachini, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Koehnke, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington,

Holliday, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Quilici, Ream, Russell, Schye, Smith, Spaeth, Strizich, Vincent, Whalen, Williams.

Total 39

Excused: Moore.

Total 1

Absent or not voting: Bardanouve, Kitselman, Squires.

Total 3

Representative Kitselman in the Chair.

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (48-51)

Representative Campbell excused at this time.

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (49-50)

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (43-55)

Representatives Poff and Keenan excused at this time.

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (32-66)

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (46-51)

Representative Poff present at this time.

Representative Giacometto moved that HB 2, Section A, be further amended as follows:

1. Page A-11, line 14.

Strike: "8,772,307 8,871,472"

Insert: "8,709,992 8,802,922"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 58

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Stratford, Strizich, Vincent, Whalen, Williams.

Total 41

Paired: Campbell, Mercer, Ayes; Harrington, Keenan, Noes.

Excused: Moore.

Total 1

Absent or not voting: None.

Total 0

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (38-58)

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (32-65)

Representative S. Hansen excused at this time.

Representative Cobb moved that HB 2, Section A, be further amended. Amendment failed. (27-68)

Representative Spaeth moved that HB 2, Section A, be further amended as follows:

1. Page A-9, line 8.

Strike: "256,271 256,039" (general fund column)

Insert: "217,719 217,501" (general fund column)

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Giacometto, Glaser, Gould, Grinde, Hannah, Hansen, Harp, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keller, Kitselman, Koehnke, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Ramirez, Raney, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 66

Noes: Asay, J. Brown, Cohen, Daily, Driscoll, Ellison, Fritz, Gilbert, Grady, Hanson, Harper, Harrington, Jenkins, Kennerly, Lory, Manuel, Miller, Nathe, Nelson, Pavlovich, Phillips, Poulsen, Quilici, Rapp-Svrcek, Ream, Sales, Strizich, Swysgood, Thoft, Thomas, Winslow.

Total 31

Paired: Campbell, Hansen, Ayes; Miller, Thomas, Noes.

Excused: Keenan, Moore.

Total 2

Absent or not voting: Switzer.

Total 1

Representative Spaeth moved that HB 2, Section A, be further amended. Amendment failed. (22-71)

Representative Cody moved that HB 2, Section A, be further amended. Amendment failed. (39-54)

Representative Corne' excused at this time.

Representative Bardanouve moved that HB 2, Section A, be further amended as follows:

1. Page A-2, line 18.

Strike: "37,500"

Insert: "30,000"

2. Page A-2, line 24.

Strike: "35,000"

Insert: "30,000"

3. Page A-3.

Strike: lines 6 and 7 in their entirety

Amendment passed as follows:

Ayes: Bardanouve, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 56

Noes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Harrington, Iverson, Kadas, Keenan, Kennerly, Manuel, Menahan, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Strizich, Swift, Vincent, Whalen, Williams.

Total 40

Paired: Bardanouve, Hannah, Ayes; Corne', Keenan, Noes.

Excused: Campbell, Hansen, Moore.

Total 3

Absent or not voting: Brandewie.

Total 1

Representative Hannah moved that HB 2, Section A, be further amended as follows:

1. Page A-1, line 19.

Strike: "723,820"

Insert: "718,820"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cobb, Cody, Compton, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: D. Brown, Bulger, Cohen, Connelly, Darko, Gilbert, Iverson, Kadas, Kennerly, Manuel, Nisbet, Pavlovich, Quilici, Russell, Schye, Squires, Strizich, Swift, Whalen.

Total 19

Excused: Campbell, Corne', Hansen, Keenan, Moore.

Total 5

Absent or not voting: None.

Total 0

Representative Rehberg moved that HB 2, Section A, as amended, be closed. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, J. Brown, Cody, Compton, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Bachini, Brandewie, D. Brown, Bulger, Cobb, Cohen, Connelly, Daily, Darko, Giacometto, Hannah, Harp, Harrington, McCormick, Menahan, Miles, Nathe, Nisbet, Quilici, Ream, Schye, Squires, Strizich, Whalen.

Total 24

Excused: Campbell, Corne', Hansen, Keenan, Moore.

Total 5

Absent or not voting: Grinde, Pavlovich.

Total 2

Representative Hannah moved that the committee rise and report progress on HB 2. Motion carried. Chairman Rehberg reported that today's amendments reduced the general government budget by \$2,151,605.

MOTIONS

Representative Mercer moved that Senate amendments to HB 161 be placed at the top of the second reading board tomorrow. This is the potato bill, and it needs a one word amendment which could be handled very quickly. Motion carried.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 2, 1987

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 118, "AN ACT TO CLARIFY THAT THE DIVISION OF WORKERS' COMPENSATION MAY CONCURRENTLY PURSUE CIVIL AND CRIMINAL ACTIONS AGAINST AN UNINSURED EMPLOYER; TO CREATE THE CRIMINAL OFFENSE OF EMPLOYER MISCONDUCT; TO IMPOSE PENALTIES FOR THE COMMISSION OF EMPLOYER MISCONDUCT; AND AMENDING SECTION 39-71-507, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." without my signature and recommend the attached amendments for the following reasons.

Senate Bill No. 118 was amended after introduction to create a new crime, employer misconduct. Employer misconduct is a felony, punishable by a fine not to exceed \$50,000 or up to ten years imprisonment, or both.

Senate Bill No. 118 has an immediate effective date. This immediate effective date raises serious constitutional questions as to the validity of any employer misconduct prosecution instituted during the days and months immediately following approval of the bill. The constitutional guarantee of due process of law requires that a citizen have adequate notice of a criminal statute so that he can conform his conduct to that statute and avoid prosecution. Because of the immediate effective date in Senate Bill No. 118, a person who is committing no crime under current law could become a felon with the stroke of my pen.

My amendments remedy this constitutional infirmity by inserting a July 1, 1987 effective date. I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 118

1. Title.

Following: line 10

Strike: "IMMEDIATE"

2. Page 3, line 12.

Following: "EFFECTIVE"

Strike: "ON PASSAGE AND APPROVAL"

Insert: "July 1, 1987"

Sincerely,

Ted Schwinden
Governor

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/2/87

Correctly enrolled: HB 47, HB 385, HB 457, HB 465, HB 482, HB 491, HB 519, HB 590, HB 598, HB 614, HB 619, HB 623, HB 647, HB 690, HB 708, HB 720, HB 730, HB 737, HB 760, HB 819, HJR 6, HJR 24, HJR 26, HJR 32, HJR 34, HJR 39, HJR 40.

Examined by the sponsor and found to be correct:

HB 47 - Harrington	HB 623 - Harrington
HB 146 - Spaeth	HB 647 - Bulger
HB 200 - Miles	HB 674 - Mercer
HB 259 - Winslow	HB 690 - Glaser
HB 353 - Gould	HB 708 - Nelson
HB 367 - Miller	HB 720 - Spaeth
HB 385 - Kadas	HB 725 - Strizich
HB 428 - Connelly	HB 730 - Bachini
HB 455 - Miles	HB 737 - D. Brown
HB 457 - J. Brown	HB 760 - Ream
HB 465 - Cobb	HB 777 - Ream
HB 480 - Miles	HB 803 - Campbell
HB 482 - Schye	HB 818 - Nathe
HB 488 - Ramirez	HB 819 - Nathe
HB 491 - Spaeth	HJR 6 - Schye
HB 519 - O'Connell	HJR 24 - Swift
HB 571 - Daily	HJR 26 - Winslow
HB 590 - Strizich	HJR 32 - Vincent
HB 598 - Rapp-Svrcek	HJR 34 - Winslow
HB 614 - Miller	HJR 39 - Connelly
HB 619 - Giacometto	HJR 40 - Asay

Signed by the Speaker at 2:30 p.m.: HB 146, HB 200, HB 259, HB 353, HB 367, HB 428, HB 455, HB 480, HB 488, HB 571, HB 674, HB 725, HB 777, HB 803, HB 818.

Delivered to the Governor for his approval at 11:25 a.m.: HB 53, HB 69, HB 121, HB 220, HB 253, HB 282, HB 316, HB 365, HB 397, HB 492, HB 566, HB 654, HB 762, HB 779, HB 804, HB 823.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:00 a.m., April 3, 1987.

Motion carried.

House adjourned at 8:10 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 3, 1987

House Chambers
State Capitol

House convened at 9:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Hannah. Pledge of Allegiance to the Flag.

Roll call. All members present except the Taxation Committee, Campbell, Cohen, Meyers, Moore, Nathe, and Strizich, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-second legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 210
Report No. 1, April 2, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 210 met and considered:

House Bill No. 210 in its entirety.

We recommend as follows:

That House Bill No. 210, reference copy, be amended as follows:

1. Page 1, line 20.

Strike: "ARRANGE TO"

2. Page 1, line 21.

Following: "ARRANGE TO"

Insert: "arrange to"

And that this Free Conference Committee report be adopted.

For the Senate:

E. Smith, Chairman
Severson
Jergeson

For the House:

Swysgood
Grady
DeMars

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 4/2/87

HB 29, introduced by Bardanouve

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/2/87

HB 6, introduced by Thoft

Senate bill passed and transmitted to the House for concurrence: 4/2/87

SJR 14, introduced by Gage

House amendments to Senate bills concurred in: 4/2/87

SB 49, introduced by Thayer

SB 102, introduced by Story

SB 181, introduced by Van Valkenburg

SB 213, introduced by Mazurek

SB 320, introduced by B. Brown

SB 369, introduced by Tveit

The Senate, on 4/2/87, requested the return of the following House bill for further consideration:

HB 161, introduced by Meyers

The Senate, on 4/2/87, failed to concur in House amendments to SB 286 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 286.

The President appointed the following members:

Senator Galt, Chairman

Senator Halligan

Senator Bengtson

MOTIONS

Representative Compton moved that SJR 15, which asks Congress to restore financial stability to the farm credit system, be placed at the top of the second reading board. Motion carried.

Representative Thomas moved that consideration of HB 161, Senate amendments, be passed for the day, due to the illness of the sponsor, Representative Meyers. Motion failed.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 161 - Representative Mercer moved that Senate amendments and statement of intent to HB 161 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nelson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 65

Noes: Bulger, Cody, Connelly, Corne', Driscoll, Harper, Kadas, Nisbet, Peck, Raney, Squires, Stang, Vincent.
Total 13

Excused: Asay, Campbell, Cohen, Ellison, Gilbert, Hanson, Harp, Harrington, Hoffman, Koehnke, Meyers, Moore, Nathe, Patterson, Ramirez, Ream, Sands, Schye, Strizich.
Total 19

Absent or not voting: Cobb, Miller, O'Connell.
Total 3

The Committee on Taxation returning at this time.

SJR 15 - Representative Compton moved that SJR 15 be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoht, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Sales.
Total 1

Excused: Asay, Campbell, Cohen, Ellison, Hanson, Harp, Hoffman, Koehnke, Meyers, Moore, Nathe, Patterson, Ramirez, Sands, Schye, Strizich.
Total 16

Absent or not voting: Hannah.
Total 1

HB 2

SECTION B - HUMAN SERVICES (Winslow, Chairman)

Chairman Winslow explained HB 2, Section B, Human Services.

Representatives Strizich, Cohen, and Nathe present at this time.

Representative Spaeth moved that HB 2, Section B, be amended.
Amendment failed. (43-52)

Representative Driscoll moved that HB 2, Section B, be amended as follows:

1. Page B-5, line 25.
Strike: "1,659,786 1,603,333"
Insert: "1,759,052 1,702,599"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Grinde, Hansen, Harper, Harrington, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nelson, Nisbet, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye,

Simon, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 61

Noes: Brandewie, Cobb, Devlin, Ellison, Giacometto, Gilbert, Gould, Grady, Hannah, Hanson, Harp, Hayne, Jenkins, Kitselman, Menke, Mercer, Miller, Patterson, Peck, Phillips, Poulsen, Rehberg, Roth, Sands, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas.

Total 30

Excused: Campbell, Meyers, Moore.

Total 3

Absent or not voting: Cohen, Connelly, Hoffman, Keller, Nathe, O'Connell.

Total 6

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-5, line 25.

Strike: "81,443 1,659,786 76,429 1,603,333"

Insert: "69,582 1,633,786 64,583 1,587,733"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Mercer, Miles, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: D. Brown, Daily, Manuel, Menahan, Menke, Nisbet, Pavlovich, Whalen.

Total 8

Excused: Campbell, Meyers, Moore.

Total 3

Absent or not voting: Cohen, Grinde, Hoffman, O'Connell, Thoft.

Total 5

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-6.

Following: line 17

Insert: "The department shall seek federal funds for general assistance training program activities. Any federal funds received for this purpose shall cause a like reversion of general fund."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto,

Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Harrington, Pavlovich, Ream.

Total 3

Excused: Campbell, Meyers, Moore.

Total 3

Absent or not voting: Cohen, Hoffman, O'Connell.

Total 3

Representative Patterson excused at this time.

Representative Jenkins moved that HB 2, Section B, be further amended. Amendment failed. (29-66)

Representative Jenkins moved that HB 2, Section B, be further amended. Amendment failed. (28-68)

Representatives Moore and Patterson present at this time.

Representative D. Brown excused at this time.

Representative Switzer moved that HB 2, Section B, be further amended. Amendment failed. (47-49)

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-7, line 19.

Strike: "54,600 69,130"

Insert: "51,315 67,215"

2. Page D-1, line 13.

Strike: "132,789 4,171 7,112 5,792"

Insert: "143,932 4,521 7,709 6,278"

3. Page D-4, line 24.

Strike: "25,268 14,732"

Insert: "28,806 16,794"

4. Page D-5, line 19.

Strike: "9,240"

5. Page D-6, line 8.

Strike: "12,096"

6. Page C-14, line 14.

Strike: "25,010,000 25,100,000"

Insert: "24,935,744 25,046,544"

7. Page C-14.

Following: line 14

Insert: "b. Audit 74,256 53,456" (under Proprietary)

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: D. Brown, Campbell, Meyers.

Total 3

Absent or not voting: Asay, Grinde, Squires.

Total 3

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-8, line 10.

Following: "Waiver"

Insert: ", Elderly"

2. Page B-8, line 11.

Strike: "899,966 1,994,745 841,782 2,052,929"

Insert: "479,427 1,062,634 448,432 1,093,629"

3. Page B-8.

Following: line 11

Insert: "(iii). Medicaid - Waiver, Disabled

420,539 932,111 393,350 959,300"

Renumber: subsequent subsections and internal references

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Daily, Driscoll, Hansen, Pavlovich, Whalen.

Total 5

Excused: D. Brown, Campbell, Meyers.

Total 3

Absent or not voting: Asay, Grinde.

Total 2

Representative Winslow moved that HB 2, Section B, be further amended. Amendment failed. (48-50)

Representatives Miles, Bulger, and McCormick excused at this time.

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-8, line 9.

Strike: "6,000,000 6,000,000"

Insert: "3,000,000 3,000,000"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, Cobb, Cody, Cohen, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 59

Noes: D. Brown, J. Brown, Bulger, Connelly, Corne', Daily, Darko, Driscoll, Gould, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Russell, Schye, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams.

Total 40

Paired: Devlin, Mercer, Meyers, Ramirez, Thomas, Ayes; D. Brown, Bulger, McCormick, Miles, Pavlovich, Noes.

Excused: Campbell.

Total 1

Absent or not voting: None.

Total 0

Representative Hannah moved that the Committee of the Whole stand in recess until 1:50 p.m. Motion carried.

Committee of the Whole recessed at 1:25 p.m.

Committee of the Whole reconvened at 2:05 p.m.

Representative Iverson in the Chair.

Representative Hannah excused at this time.

Representatives Bulger, McCormick, and Miles present at this time.

Representative Winslow moved that HB 2, Section B, be further amended. Amendment failed. (20-74)

Representative Winslow moved that HB 2, Section B, be further amended. Amendment failed. (31-63)

Representative Winslow moved that HB 2, Section B, be further amended. Amendment failed. (29-66)

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-12.

Following: line 14

Insert: "Insofar as item 5bvi pertains to the optional medicaid service of inpatient psychiatric hospital services for individuals under age 21, as provided in 42 U.S.C. 1396d(a)(16), the appropriation is limited to the provision of services in psychiatric hospitals exclusively devoted to the care of children."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cobb, Cody, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Bulger, Cohen, Connelly, Daily, Harrington, Kadas, Ream, Russell.

Total 8

Excused: D. Brown, Campbell, Hannah, Meyers.

Total 4

Absent or not voting: Eudaily, Miller, Strizich, Thomas.

Total 4

Representative Donaldson excused at this time.

Representative Switzer moved that HB 2, Section B, be further amended as follows:

1. Page B-7, line 5.

Strike: "4,319,712 3,691,344"

Insert: "3,932,568 3,447,576"

2. Page B-7, line 7.

Strike: "12,106,956 29,326,843 12,188,745 32,409,662"

Insert: "11,033,494 26,726,580 11,413,301 30,347,772"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 53

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 47

Paired: Brandewie, Campbell, Donaldson, Giacometto, Hannah, Meyers, Ayes; Addy, D. Brown, Bulger, Daily, Harrington, Ream, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Asay excused at this time.

Representative Spaeth moved that HB 2, Section B, be further amended as follows:

1. Page B-8, line 17.

Strike: "19,208,341 57,071,728 21,215,471 67,850,746"

Insert: "19,130,953 56,900,198 21,138,236 67,662,386"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Corne', DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 68

Noes: Addy, D. Brown, Bulger, Connelly, Daily, Darko, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Ream, Russell, Schye, Squires, Strizich, Whalen, Williams.

Total 31

Paired: Asay, Brandewie, Campbell, Donaldson, Giacometto, Hannah, Meyers, Ayes; D. Brown, Daily, Harrington, Keenan, Menahan, Pavlovich, Quilici, Noes.

Excused: None.

Total 0

Absent or not voting: Miller.

Total 1

Representative Menahan moved that HB 2, Section B, be further amended. Amendment failed. (38-60)

Representative D. Brown present at this time.

Representative Bradley moved that HB 2, Section B, be further amended as follows:

1. Page B-10, line 5.

Strike: "280,458 908,722" (FY 89)

Insert: "310,359 938,622"

2. Page B-10, line 7.

Strike: "5,502,908 12,896,869" (FY 89)

Insert: "5,846,843 13,517,746"

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Gould, Hansen, Harper, Harrington, Jenkins, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Williams.

Total 50

Noes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Nathe, Patterson, Peck, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Swift, Swysgood, Thoft, Thomas, Winslow, Mr. Speaker.

Total 49

Paired: Bulger, Harrington, Keenan, Menahan, Pavlovich, Quilici, Russell, Ayes; Asay, Brandewie, Campbell, Donaldson, Hannah, Meyers, Swysgood, Noes.

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-3, line 8.

Following: "counties"

Strike: "at the discretion of the"

Insert: ". The"

Following: "department"

Strike: " , "

Insert: "of health may distribute these revenues"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Asay, Campbell, Donaldson, Hannah, Meyers.

Total 5

Absent or not voting: D. Brown, Bulger, Ellison, Pavlovich.

Total 4

Representative Winslow moved that HB 2, Section B, be further amended as follows:

1. Page B-5, line 25.

Strike: "1,659,786 1,603,333"

Insert: "1,648,847 1,593,579"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cohen, Daily, Driscoll, Gould, Harrington, Pavlovich, Russell, Thoft, Whalen.

Total 9

Excused: Asay, Campbell, Donaldson, Hannah, Meyers.

Total 5

Absent or not voting: D. Brown, Strizich.

Total 2

Representative Simon moved that HB 2, Section B, be further amended. After debate, Representative Simon withdrew the amendment.

Representative Marks moved that HB 2, Section B, be further amended. Finding error, Representative Marks withdrew his amendment.

Representative Squires moved that HB 2, Section B, be further amended as follows:

1. Page B-12.

Following: line 14

Insert: "The department of social and rehabilitation services is urged to find ways to reduce current workers' compensation and unemployment insurance costs in its budget for personal care attendant services. These savings, if any, should be used to increase wages paid to those providing personal care attendant services."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hoffman, Holliday, Iverson, Kadas, Keenan, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 75

Noes: Cody, Devlin, Ellison, Giacometto, Gilbert, Glaser, Hayne, Jenkins, Jones, Keller, Kitselman, Patterson, Sales, Smith, Switzer, Wallin.

Total 16

Excused: Asay, Campbell, Donaldson, Hannah, Meyers.

Total 5

Absent or not voting: Harper, Kennerly, Lory, Poulsen.

Total 4

Representative Marks moved that HB 2, Section B, be further amended as follows:

1. Page B-11.

Strike: lines 24 and 25 in their entirety

2. Page B-12.

Strike: line 5 in its entirety

Insert: "In accordance with 43-6-102, it is the intent of the legislature that if funds are inadequate to provide the full array of services described for the medicaid program as defined in 53-6-101, the department of social and rehabilitation services shall establish priorities of service and take such action as necessary to maintain the medicaid-primary care expenditures within the appropriation."

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 56

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Poulsen, Quilici, Raney, Ream, Russell, Schye, Spaeth, Squires, Strizich, Vincent, Whalen, Williams, Winslow.

Total 43

Paired: Asay, Campbell, Donaldson, Hannah, Meyers, Ayes; Daily, Harper, Quilici, Ream, Spaeth, Noes.

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

Representative Miller moved that HB 2, Section B, be further amended. Amendment failed. (45-52)

Representative Switzer moved that HB 2, Section B, be further amended. Amendment failed. (48-51)

Representative Corne' excused at this time.

Representative Kadas moved that HB 2, Section B, be further amended. Amendment failed. (44-54)

Representative Asay present at this time.

Representative Cobb moved that HB 2, Section B, be further amended. Amendment failed. (38-56)

Representative Cobb moved that HB 2, Section B, be further amended as follows:

Section B

1. Page B-1, line 11.

Strike: "\$549,702 \$569,281"

Insert: "\$532,704 \$551,285"

2. Page B-2, line 15.

Strike: "\$202,081 \$202,008"

Insert: "\$198,243 \$198,469"

3. Page B-2, line 17.

Strike: "\$11,726,980 \$11,998,964"

Insert: "\$11,718,058 \$11,990,742"

Section C

4. Page C-7, line 21.

Strike: "\$1,079,262 \$1,074,042"

Insert: "\$1,068,695 \$1,063,491"

5. Page C-11, line 24.

Strike: "\$610,884 \$611,379"

Insert: "\$609,188 \$609,683"

Section E

6. Page E-2, line 20.

Strike: "\$852,788 \$237,905 \$237,944"

Insert: "\$847,788 \$254,446 \$250,484"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Cobb, Compton, DeMars, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Hansen, Harrington, Holliday, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 42

Paired: Giacometto, Aye; Corne', No.

Excused: Campbell, Donaldson, Hannah, Meyers.

Total 4

Absent or not voting: Koehnke, Pistoria.

Total 2

Representative Winslow moved that HB 2, Section B, as amended, be closed. Motion carried.

Representatives Thomas and Mercer excused at this time.

SECTION D - INSTITUTIONS
(Miller, Chairman)

Chairman Miller explained HB 2, Section D, Institutions.

Representatives Pistoria and O'Connell excused at this time.

Representative Spaeth moved that HB 2, Section D, be amended as follows:

1. Page D-3, line 18.

Strike: "2,229,779 2,248,146"

Insert: "2,205,017 2,223,251"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Darko, DeMars, Eudaily, Fritz, Giacometto, Glaser, Gould, Hannah, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kitselman, Koehnke, McCormick, Manuel, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Swift, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 56

Noes: Bradley, D. Brown, Cohen, Connelly, Daily, Devlin, Driscoll, Gilbert, Grady, Grinde, Hansen, Hanson, Harrington, Jenkins, Keenan, Keller, Kennerly, Lory, Menahan, Menke, Miller, Nisbet, Pavlovich, Poff, Quilici, Ream, Russell, Schye, Squires, Stratford, Strizich, Switzer, Swysgood, Vincent, Whalen.
Total 35

Paired: Hannah, Mercer, Meyers, Thomas, Ayes; Daily, Keenan, Pavlovich, Quilici, Noes.

Excused: Campbell, Corne', Donaldson, O'Connell, Pistoria.
Total 5

Absent or not voting: Asay, Ellison, Kadas, Williams.
Total 4

Representative Spaeth moved that HB 2, Section D, be further amended as follows:

1. Page D-6, line 6.

Strike: "2,848,740 2,873,834"

Insert: "2,824,096 2,848,875"

Amendment passed as follows:

Ayes: Bachini, Bardanouve, Brandewie, J. Brown, Cobb, Driscoll, Ellison, Eudaily, Giacometto, Glaser, Gould, Hannah, Harp, Hoffman, Holliday, Iverson, Jenkins, Jones, Kitselman, Koehnke, McCormick, Mercer, Meyers, Miles, Moore, Nelson, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Mr. Speaker.
Total 48

Noes: Addy, Asay, Bradley, D. Brown, Bulger, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Fritz, Gilbert, Grady, Grinde,

Hansen, Hanson, Harper, Harrington, Hayne, Kadas, Keenan, Keller, Kennerly, Lory, Manuel, Menahan, Menke, Miller, Nathe, Nisbet, Pavlovich, Poff, Poulsen, Quilici, Ream, Russell, Schye, Squires, Stratford, Strizich, Switzer, Whalen, Williams, Winslow.

Total 47

Paired: Hannah, Mercer, Meyers, Thomas, Ayes; Addy, Daily, Pavlovich, Quilici, Noes.

Excused: Campbell, Corne', Donaldson, O'Connell, Pistoria.

Total 5

Absent or not voting: None.

Total 0

Representative Connelly moved that HB 2, Section D, be further amended. Amendment failed. (42-53)

Representative Cobb moved that HB 2, Section D, be further amended as follows:

1. Page D-4.

Following: line 7

Insert: "If the amounts billed and paid, including volume discount rebates, for the corrections division's workers' compensation costs are less than \$876,796 in fiscal 1988 and \$979,198 in fiscal 1989, the balance shall revert to the appropriate fund."

2. Page D-4.

Following: line 9

Insert: "If the amounts billed and paid, including volume discount rebates, for the mental health division's workers' compensation costs are less than \$3,114,215 in fiscal 1988 and \$3,191,394 in fiscal 1989, the balance shall revert to the appropriate fund."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svreck, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cohen, Hansen, Nisbet, Quilici, Whalen.

Total 5

Excused: Campbell, Corne', Donaldson, Hannah, Mercer, Meyers, O'Connell, Pistoria, Thomas.

Total 9

Absent or not voting: Daily, Pavlovich.

Total 2

Representative Cobb moved that HB 2, Section D, be further amended. Amendment failed. (25-65)

Representative Spaeth moved that HB 2, Section D, be further amended as follows:

1. Page D-6, line 6.

Strike: "2,848,740 510,722 2,873,834 510,722"

Insert: "2,858,384 525,722 2,883,793 525,722"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Darko, Devlin, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Connelly, DeMars, Ellison, Giacometto, Hansen, Kadas, Peterson, Ream, Sales, Squires, Stang, Vincent.

Total 12

Excused: Campbell, Corne', Donaldson, Hannah, Mercer, Meyers, O'Connell, Pistoria, Thomas.

Total 9

Absent or not voting: Bradley, Cobb, Daily.

Total 3

Representative Miller moved that HB 2, Section D, as amended, be closed. Motion carried.

Representative Eudaily moved that the committee rise and report progress on HB 2. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (64-25)

MOTIONS

Representative Eudaily moved that the rules be suspended to allow Senate amendments to HB 161 and SJR 15 to be heard on third reading this day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 161, Senate amendments and statement of intent, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Daily, Gilbert, Harper, Kadas, Nisbet, Peck, Stang, Strizich, Vincent.

Total 9

Excused: Campbell, Corne', Donaldson, Hannah, Mercer, Meyers, O'Connell, Pistoria, Thomas.

Total 9

Absent or not voting: None.

Total 0

SJR 15 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Daily, Menahan, Sales.

Total 3

Excused: Campbell, Corne', Donaldson, Hannah, Mercer, Meyers, O'Connell, Pistoria, Thomas.

Total 9

Absent or not voting: Harp.

Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/3/87

Correctly enrolled: HB 222, HB 453, HB 512, HB 523, HB 535, HB 607, HB 658, HB 794, HB 825, HJR 43.

Examined by the sponsor and found to be correct:

HB 222 - Thomas	HB 607 - Keenan
HB 453 - Brandewie	HB 658 - Menahan
HB 512 - Ream	HB 794 - Williams
HB 523 - Pavlovich	HB 825 - McCormick
HB 535 - Ellison	HJR 43 - Winslow

Delivered to the Governor for his approval at 8:17 a.m.: HB 146, HB 200, HB 259, HB 353, HB 367, HB 428, HB 455, HB 480, HB 488, HB 571, HB 674, HB 725, HB 777, HB 803, HB 818.

TAXATION (Ramirez, Chairman):

4/3/87

SB 335, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 198, 231, 358, 402, 424, 449, 467, 537, 576, 651, 729, and 820 on this date.

Sincerely,

Ted Schwinden
Governor

Representative Eudaily moved that the House adjourn until 9:00 a.m., April 5, 1987.

Motion carried.

House adjourned at 7:45 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 4, 1987

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Corne'. Pledge of Allegiance to the Flag.

Roll call. All members present except Campbell, Hannah, Meyers, and O'Connell, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-third legislative day, find the same to be correct.

Hayne, Chairman

MOTIONS

Representative Donaldson moved that HB 865 be taken from second reading and rereferred to the Committee on Appropriations. This bill funds the foundation program, a feature now in HB 904, so the bill is not needed. Motion carried.

Representative Donaldson excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2

SECTION C - NATURAL RESOURCES (Swift, Chairman)

Representative Swift explained HB 2, Section C, Natural Resources.

Representative Swift moved that HB 2, Section C, be amended as follows:

1. Page C-8, line 24.

Strike: "355,995 210,757 355,806 225,954"

Insert: "350,859 215,893 350,717 231,043"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Harrington, Whalen.

Total 2

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: Asay, Iverson.

Total 2

Representative Swift moved that HB 2, Section C, be further amended as follows:

1. Page C-11, line 10.

Following: "the"

Strike: "state"

Insert: "federal"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Giacometto.

Total 1

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: None.

Total 0

Representative Swift moved that HB 2, Section C, be further amended as follows:

1. Page C-14.

Following: line 16

Insert: "26. Video Poker .

2,907,845 state special revenue in fiscal 1988

2,937,405 state special revenue in fiscal 1989"

Renumber: subsequent headings

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: None.

Total 0

Representative Swift moved that HB 2, Section C, be further amended as follows:

1. Page C-14.

Following: line 24

Insert: "Item 11b may be expended only for the purposes as detailed in 90-6-307, 90-6-311, 90-6-321, and 90-6-304(1). No transfers may be made in or out of item 11b."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Menahan.

Total 1

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: Poulsen.

Total 1

Representative Spaeth moved that HB 2, Section C, be further amended as follows:

1. Page C-3, line 5.

Strike: "213,002 213,180 50,675 25,917"

Insert: "218,920 215,339 52,374 26,788"

2. Page C-3, line 5.

Strike: "219,642 208,591 38,511 25,106"

Insert: "226,111 210,375 40,156 25,821"

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, Bulger, Cody, Cohen, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Grinde, Hansen, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nathe, Nisbet, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Williams, Winslow.

Total 62

Noes: Bachini, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Donaldson, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Harp, Harper, Hayne, Jones, Kitselman, Menke, Mercer, Meyers, Miller, Nelson, Peck, Peterson, Ramirez, Sales, Simon, Stang, Switzer, Thomas, Wallin, Mr. Speaker.

Total 35

Paired: Harrington, McCormick, Ream, Williams, Ayes; Campbell, Donaldson, Hannah, Meyers, Noes.

Excused: O'Connell.

Total 1

Absent or not voting: Poulsen, Whalen.

Total 2

Representative Patterson moved that HB 2, Section C, be further amended as follows:

1. Page C-3, line 17.

Strike: "102,664 40,300 99,182 45,300"

Insert: "37,204 30,300 37,222 35,300"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Winslow, Mr. Speaker.

Total 65

Noes: Addy, Bachini, Bradley, Cody, Cohen, Connelly, Corne', Driscoll, Fritz, Grady, Hansen, Hanson, Harper, Harrington, Kadas, Kennerly, McCormick, Manuel, Menahan, Nathe, Nisbet, Pavlovich, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Swift, Vincent, Williams.

Total 32

Paired: Campbell, Hannah, Meyers, Ayes; Addy, McCormick, Williams, Noes.

Excused: Donaldson, O'Connell.

Total 2

Absent or not voting: Stang.

Total 1

Representative Rapp-Svrcek moved that HB 2, Section C, be further amended. Amendment failed. (25-72)

Representative Rapp-Svrcek moved that HB 2, Section C, be further amended. After debate, Representative Rapp-Svrcek withdrew his amendment.

Representative D. Brown moved that HB 2, Section C, be further amended. Amendment failed. (32-65)

Representative D. Brown moved that HB 2, Section C, be further amended. Amendment failed. (40-59)

Representative Spaeth moved that HB 2, Section C, be further amended as follows:

1. Page C-9, line 20.

Strike: "2,349,513 2,214,859 2,366,003 2,190,331"

Insert: "2,234,629 2,099,976 2,251,263 2,075,592"

2. Page C-10.

Following: line 7

Insert: "f. Reserved Water Rights Compact Commission

114,884 (under general fund column)

114,883 (under state special revenue column)

114,740 (under general fund column)

114,739" (under state special revenue column)

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Cohen, Hoffman, Raney.

Total 3

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: None.

Total 0

Representative Spaeth moved that HB 2, Section C, be further amended as follows:

1. Page C-11.

Strike: lines 5 and 6 in their entirety

Insert: "The energy division is authorized to spend up to \$40,000 it may receive from the Bonneville power administration for technical assistance and up to \$50,000 it may receive from the Montana power company for builder training, and such funds are appropriated for those purposes."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Cohen, Connelly, Giacometto, Kadas, Moore, Whalen.

Total 6

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: Gould, Iverson.

Total 2

Representative Spaeth moved that HB 2, Section C, be further amended as follows:

1. Page C-11, line 22.

Strike: "1,717,914 1,720,174"

Insert: "1,726,043 1,723,321"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Brandewie, Cohen, Giacometto, Glaser, Harp, Raney, Sales, Switzer, Whalen.

Total 9

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: Harper.

Total 1

Representative Bradley moved that HB 2, Section C, be further amended as follows:

1. Page C-11, line 22.

Strike: "1,717,914 1,720,174"

Insert: "1,720,404 1,720,674"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Giacometto, Gilbert, Jones, Patterson, Peck, Peterson, Raney, Stang.

Total 8

Excused: Campbell, Donaldson, Hannah, Meyers, O'Connell.

Total 5

Absent or not voting: Harper, Swift.

Total 2

Representative Cohen excused at this time.

Representative Winslow moved that HB 2, Section C, be further amended as follows:

1. Page C-12.

Insert: "a. Operations

Fiscal 1988: 728,007 (state special revenue column)

Fiscal 1988: 581,226 (federal special revenue column)

Fiscal 1989: 750,949 (state special revenue column)

Fiscal 1989: 639,513 (federal special revenue column)

b. Business Packaging Grants

\$95,000 \$100,000 (state special revenue columns)

c. Montana Ambassadors Loaned Executive Program

\$68,000 \$90,000 (state special revenue columns)

d. Value-Added Commission

\$20,000 \$30,000 (state special revenue columns)

e. One-Stop Business Licensing

Fiscal 1988: 5,000 (state special revenue columns)

f. Business Recruitment Project

Fiscal 1988: 20,000" (state special revenue columns)

2. Page C-14.

Following: line 10

Insert: "c. University Research and Development Grants

\$896,757 \$933,156" (state special revenue columns)

3. Page C-15.

Strike: line 24 in its entirety

Insert: "Items 7b, 8e and 8f are biennial appropriations"

4. Page C-15.

Following: line 24

Insert: "If House Bill 862 is not enacted the general fund appropriations for item 8a are increased by \$686,692 in fiscal 1988 and by \$68,219 in fiscal 1989. The state special revenue appropriation for item 8a is to be reduced by \$697,893 in fiscal 1988 and by \$691,692 in fiscal 1989.

If House Bill 862 is not enacted, items 8b, 8c, 8d, 8e, and 8f are eliminated."

5. Page E-3.

Following: line 11

Insert: "6. Vocational-Technical Center Job Training and Equipment programs.

\$597,838 \$622,104" (state special revenue columns)

6. Page E-3.

Following: line 17

Insert: "If House bill 862 is not enacted, item 6 is eliminated."

7. Page F-4.

Following: line 7

Insert: "14. Higher Education Capital Improvements

\$597,838 \$622,104" (state special revenue columns)

8. Page F-4.

Following: line 13

Insert: "If House Bill 862 is not enacted, item 14 is eliminated."

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 48

Paired: Asay, Campbell, Donaldson, Hannah, Meyers, Ayes; Bachini, Cohen, McCormick, Schye, Williams, Noes.

Excused: O'Connell.

Total 1

Absent or not voting: None.

Total 0

In the absence of the sponsor, Representative Hannah, Representative Sands moved that HB 2, Section C, be further amended as follows:

1. Page C-13, line 9.

Strike: "2,500,000 2,500,000"

Insert: "433,337 433,337"

2. Page C-15.

Following: line 24

Insert: "If House Bill 890 is not enacted, the appropriation in Item 14c shall be \$2,500,000 of general fund for each year of the bien-nium."

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 50

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 49

Paired: Campbell, Devlin, Donaldson, Hannah, Meyers, Rehberg, Ayes; Cohen, Hansen, O'Connell, Schye, Spaeth, Squires, Noes.

Excused: None.

Total 0

Absent or not voting: Ramirez.

Total 1

Representative Spaeth moved that HB 2, Section C, be further amended as follows:

1. Page C-15.

Following: line 13

Insert: "Item 7a includes no less than \$95,000 per year for costs associated with the McCarty Farms case."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hoffman, Whalen.

Total 2

Excused: Campbell, Cohen, Donaldson, Hannah, Meyers, O'Connell.
Total 6

Absent or not voting: None.
Total 0

Representative Eudaily moved that the Committee of the Whole stand in recess until 1:15 p.m. Motion carried.

Committee of the Whole recessed at 11:55 a.m.

Committee of the Whole reconvened at 1:20 p.m.

Representative Driscoll in the Chair.

Representative Winslow excused at this time.

Representative Glaser moved that HB 2, Section C, be further amended as follows:

1. Page C-3.

Following: line 20

Insert: "The program in item 3 is to promote both the development of markets for Montana wheat and barley and intensive scientific and practical research into all phases of wheat and barley culture, production, and use. The wheat research and marketing unit is attached to the department for administrative purposes only. The department director is an ex-officio member of the wheat research and marketing committee."

Amendment passed as follows:

Ayes: Asay, Brandewie, Cobb, Cody, Compton, DeMars, Devlin, Driscoll, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Hoffman, Holliday, Jenkins, Kadas, Kitselman, Menke, Mercer, Miller, Moore, Nelson, Patterson, Peterson, Phillips, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Switzer, Swysgood, Thoft, Williams, Mr. Speaker.

Total 44

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Connelly, Corne', Darko, Ellison, Eudaily, Giacometto, Harper, Harrington, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Nathe, Nisbet, Peck, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Russell, Spaeth, Stang, Strizich, Swift, Thomas, Vincent, Wallin, Whalen.

Total 40

Excused: Campbell, Cohen, Donaldson, Hannah, Meyers, O'Connell, Winslow.

Total 7

Absent or not voting: Daily, Fritz, Hansen, Hayne, Iverson, Jones, Menahan, Miles, Pavlovich.

Total 9

Representative Spaeth moved that HB 2, Section C, be further amended as follows:

1. Page C-5, line 21.

Strike: "5,245,065 5,210,325"

Insert: "5,127,065 5,091,497"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, J. Brown, Cobb, Cody, Compton, Darko, Driscoll, Fritz, Gilbert, Glaser, Grady, Hannah, Harp, Harper, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Menahan, Menke, Miller, Nathe, Nisbet, Patterson, Peck, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Spaeth, Stratford, Strizich, Thomas, Williams.

Total 44

Noes: Asay, Bradley, Connelly, Corne', DeMars, Devlin, Ellison, Eudaily, Giacometto, Gould, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Jenkins, Jones, Kitselman, Lory, Manuel, Mercer, Moore, Nelson, Peterson, Phillips, Pistoria, Ream, Russell, Sales, Schye, Smith, Squires, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Mr. Speaker.

Total 41

Paired: Hannah, Aye; Eudaily, No.

Excused: Campbell, Cohen, Donaldson, Meyers, O'Connell, Winslow.

Total 6

Absent or not voting: D. Brown, Bulger, Daily, Iverson, Keller, Miles, Pavlovich, Simon, Stang.

Total 9

Representative Cobb moved that HB 2, Section C, be further amended as follows:

1. Page C-5, line 8.

Strike: "993,678 996,672"

Insert: "1,025,678 1,028,672"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, D. Brown, Cobb, Cody, Compton, Connelly, Daily, Driscoll, Ellison, Fritz, Glaser, Grady, Grinde, Hanson, Harper, Hayne, Hoffman, Holliday, Jenkins, Kadas, Keenan, Keller, Koehnke, Lory, McCormick, Menahan, Menke, Miller, Moore, Nathe, Nisbet, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Rapp-Svrcek, Sales, Schye, Stratford, Strizich, Swysgood, Thoft, Williams, Mr. Speaker.

Total 49

Noes: Addy, Bradley, Brandewie, J. Brown, Campbell, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Giacometto, Gilbert, Gould, Hansen, Harp, Harrington, Jones, Kennerly, Kitselman, Manuel, Mercer, Meyers, Nelson, Patterson, Poff, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Swift, Switzer, Thomas, Vincent, Wallin, Whalen.

Total 44

Paired: Menahan, Peck, Rapp-Svrcek, Ayes; Campbell, Donaldson, Meyers, Noes.

Excused: Cohen, Hannah, O'Connell, Winslow.

Total 4

Absent or not voting: Bulger, Iverson, Miles.

Total 3

Representative Cobb moved that HB 2, Section C, be further amended. Amendment failed. (33-58)

Representative Cobb moved that HB 2, Section C, be further amended. Amendment failed. (35-58)

Representative Connelly excused at this time.

Representative Cobb moved that HB 2, Section C, be further amended as follows:

1. Page C-8.

Following: line 20

Insert: "The department shall not use funds in accounts created by 15-35-108 or 23-1-105 to acquire wildlife habitat."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Mr. Speaker.

Total 82

Noes: Bradley, Daily, Driscoll, Fritz, Hansen, Harrington, Moore, Pavlovich, Ream, Vincent.

Total 10

Excused: Campbell, Cohen, Connelly, Donaldson, Hannah, Meyers, O'Connell, Winslow.

Total 8

Absent or not voting: None.

Total 0

Representative Rapp-Svrcek in the Chair.

Representative Cobb moved that HB 2, Section C, be further amended. Amendment failed. (19-79)

Representative Driscoll in the Chair.

Representative Cobb moved that HB 2, Section C, be further amended. Amendment failed. (43-48)

Representative Grady moved that HB 2, Section C, be further amended as follows:

1. Page C-7, line 10.

Strike: "3,732,246"

Insert: "3,684,168"

Strike: "3,710,902"

Insert: "3,662,824"

2. Page C-11, line 22.

Strike: "1,717,914"

Insert: "1,765,992"

Strike: "1,720,174"

Insert: "1,768,252"

3. Page C-15.

Following: line 20

Insert: "The board of outfitters may request a budget amendment for the cost of implementing and enforcing the outfitter licensing laws

of the state. Such a request must be considered to meet the emergency provisions of 17-7-403."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 85

Noes: Hansen, Harp, Harper, Manuel, Raney, Rapp-Svrcek.

Total 6

Excused: Campbell, Cohen, Connelly, Donaldson, Hannah, Meyers, O'Connell, Winslow.

Total 8

Absent or not voting: Harrington.

Total 1

Representative Giacometto moved that HB 2, Section C, be further amended as follows:

1. Page C-14, line 19.

Strike: "121,189 117,103"

Insert: "120,214 116,128"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Daily, Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 80

Noes: DeMars, Manuel, Menahan, Raney, Rapp-Svrcek, Ream, Strizich, Whalen.

Total 8

Excused: Campbell, Cohen, Connelly, Donaldson, Hannah, Meyers, O'Connell, Winslow.

Total 8

Absent or not voting: D. Brown, Grinde, Harrington, Kadas.

Total 4

Representative Swift moved that HB 2, Section C, as amended, be closed. Motion carried.

Representative Eudaily moved that the committee rise and report progress on HB 2. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted.

MESSAGES FROM THE OTHER HOUSE

The Senate, on 4/2/87, dissolved the conference committee on Senate amendments to HB 206 and appointed a free conference committee to meet with a like committee from the House to confer on HB 206.

House bill indefinitely postponed and returned to the House: 4/2/87

HB 628, introduced by DeMars

House bills not concurred in and returned to the House: 4/2/87

HB 243, introduced by Harper

HB 660, introduced by Peck

The Senate, on 4/3/87, failed to concur in House amendments to SB 210 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 210.

The President appointed the following members:

Senator Keating, Chairman
Senator Harding
Senator Eck

The Senate, on 4/3/87, failed to concur in House amendments to SB 360 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 360.

The President appointed the following members:

Senator Bishop, Chairman
Senator Halligan
Senator Thayer

The Senate, on 4/2/87, failed to concur in House amendments to SB 298 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 298.

The President appointed the following members:

Senator Neuman, Chairman
Senator Williams
Senator Farrell

The Senate, on 4/2/87, failed to concur in House amendments to SB 363 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 363.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Halligan
Senator Bishop

House bill concurred in and returned to the House: 4/3/87

HB 617, introduced by Vincent

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/3/87

HB 751, introduced by Winslow

HB 791, introduced by Strizich

House amendments to Senate bills concurred in and returned to the House:
4/3/87

SB 111, introduced by Halligan

SB 139, introduced by E. Smith

SB 160, introduced by Mazurek

SB 189, introduced by Van Valkenburg

SB 212, introduced by Farrell

SB 241, introduced by Keating

SB 315, introduced by B. Williams

SB 329, introduced by Blaylock

SB 344, introduced by B. Brown

SB 353, introduced by Meyer

SB 359, introduced by Haffey

SB 361, introduced by Halligan

SB 375, introduced by Bishop

SB 385, introduced by Weeding

Governor's amendments to Senate bill concurred in and returned to the House for concurrence in Governor's amendments: 4/3/87

SB 374, introduced by Neuman

House bill not concurred in and returned to the House: 4/3/87

HB 705, introduced by Phillips

HB 700, introduced by Bradley, requiring adoption by an affirmative roll call vote of three-fourths of all the members of the Legislature, passed by the Senate and is returned to the House with the following vote: 4/3/87

YEAS - 41

NAYS - 9

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/4/87

HB 434, introduced by Donaldson

HJR 16, introduced by Peck

House amendments to Senate bills concurred in and returned to the House: 4/4/87

SB 122, introduced by Crippen

SB 161, introduced by Mazurek

SB 170, introduced by Rasmussen

SB 184, introduced by Tveit

SB 187, introduced by Farrell

SB 226, introduced by Halligan

SB 246, introduced by Bengtson

SB 261, introduced by B. Brown

SB 275, introduced by Jergeson

SB 295, introduced by Meyer

SB 303, introduced by Halligan

SB 321, introduced by Jergeson

SB 338, introduced by Boylan

SB 341, introduced by Keating

SB 380, introduced by Pinsoneault

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 14, introduced by Gage. Referred to Committee on Local Government.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/4/87

Signed by the Speaker at 9:45 a.m., 4/3/87: HB 47, HB 385, HB 457, HB 465, HB 482, HB 491, HB 519, HB 590, HB 598, HB 614, HB 619, HB 623, HB 647, HB 690, HB 708, HB 720, HB 730, HB 737, HB 760, HB 819, HJR 6, HJR 24, HJR 26, HJR 32, HJR 34, HJR 39, HJR 40.

Signed by the Speaker at 5:15 p.m., 4/3/87: HB 222, HB 453, HB 512, HB 523, HB 535, HB 607, HB 658, HB 794, HB 825, HJR 43.

Delivered to the Governor for his approval at 10:37 a.m.: HB 47, HB 385, HB 457, HB 465, HB 482, HB 491, HB 519, HB 590, HB 598, HB 614, HB 619, HB 623, HB 647, HB 690, HB 708, HB 720, HB 730, HB 737, HB 760, HB 819.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Wiley Adams, Helena
Lori Valentine, Moccasin
Kathy Salum, Rudyard
Shannan Cate, Billings
Larry Keltner, Ismay
Tempe Farley, Worden
Troy Valeninga, Thompson Falls
Barbara Coffman, Dutton

Representative Eudaily moved that the House adjourn until 9:00, April 6, 1987.

Motion carried.

House adjourned at 2:45 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 6, 1987

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative O'Connell. Pledge of Allegiance to the Flag.

Roll call. All members present except Campbell, Ellison, Grady, Hannah, Moore, Whalen, Williams, and the Taxation Committee, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-fourth legislative day, find the same to be correct.

Hayne, Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2

SECTIONS E AND F - EDUCATION (Nathe, Chairman)

Chairman Nathe explained HB 2, Sections E and F, Education.

Representative Marks moved that the Committee of the Whole stand in recess until 11:30 a.m. for caucuses. Motion carried.

Committee of the Whole recessed at 11:00 a.m.

Committee of the Whole reconvened at 11:43 a.m.

Representative Kitselman in the Chair.

The Taxation Committee present at this time.

Representative Nathe moved that HB 2, Section E, be amended as follows:

1. Page E-2, line 20.

Strike: "852,788 854,869"

Insert: "853,468 855,549"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Mr. Speaker.

Total 83

Noes: Jenkins, Sales.

Total 2

Excused: Campbell, Ellison, Grady, Hannah, Moore, Whalen, Williams.

Total 7

Absent or not voting: Asay, Cohen, Donaldson, Harper, Iverson, O'Connell, Rapp-Svrcek, Winslow.

Total 8

Representatives Fritz and Donaldson excused at this time.

Representative Harper moved that HB 2, Section E, be further amended as follows:

1. Page E-3, line 24.

Strike: "95,000 95,000"

Insert: "100,000 100,000"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Mr. Speaker.

Total 74

Noes: Cobb, Cody, Devlin, Giacometto, Gilbert, Harp, Holliday, Jones, Menke, Meyers, Rapp-Svrcek, Sales, Sands, Smith, Switzer, Thoft.

Total 16

Excused: Campbell, Donaldson, Ellison, Fritz, Grady, Hannah, Moore, Whalen, Williams.

Total 9

Absent or not voting: Winslow.

Total 1

Representative Eudaily moved that the Committee of the Whole stand in recess until 1:15 p.m. Motion carried.

Committee of the Whole recessed at 12:05 p.m.

Committee of the Whole reconvened at 1:15 p.m.

Representative Kitselman in the Chair.

Representative Fritz, Whalen, and Williams present at this time.

Representative Miller moved that HB 2, Section E, be further amended as follows:

1. Page E-2, line 10.

Strike: "909,039 373,370 907,878 372,926"

Insert: "932,039 350,370 930,878 349,926"

2. Page E-2.

Following: line 15

Insert: "To the extent interest income collections from school trust lands exceed amounts appropriated of \$177,000 in fiscal 1988 and \$177,000 in fiscal 1989, there will be a dollar for dollar reversion of general fund."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cody, Cohen, Compton, Corne', Daily, Darko, Devlin, Driscoll, Eudaily, Gilbert, Glaser, Gould, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Pavlovich, Peck, Phillips, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 70

Noes: Cobb, Giacometto, Jones, Patterson, Peterson, Sales.

Total 6

Excused: Campbell, Donaldson, Ellison, Grady, Hannah, Moore.

Total 6

Absent or not voting: D. Brown, Bulger, Connelly, DeMars, Fritz, Grinde, Hanson, Kadas, Menahan, Miles, Nisbet, Pistoria, Poff, Rapp-Svrcek, Stang, Strizich, Thomas, Mr. Speaker.

Total 18

Representative Harper moved that HB 2, Section E, be further amended as follows:

1. Page E-6, line 6.

Strike: "436,545 533,556 436,545 533,556"

Insert: "514,290 455,811 514,290 455,811"

2. Page E-6, line 24.

Strike: "466,739 335,081 466,739 335,081"

Insert: "530,859 270,961 530,859 270,961"

3. Page E-7, line 20.

Strike: "428,870 394,727 428,870 394,727"

Insert: "492,189 331,408 492,189 331,408"

4. Page E-8, line 16.

Strike: "716,489 586,219 716,489 586,219"

Insert: "820,684 482,024 820,684 482,024"

5. Page E-9, line 12.

Strike: "552,073 608,090 552,073 608,090"

Insert: "643,444 516,719 643,444 516,719"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell,

Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow.

Total 71

Noes: Asay, Brandewie, Cobb, Devlin, Ellison, Giacometto, Gilbert, Grinde, Hannah, Harp, Hayne, Jenkins, Jones, Menke, Mercer, Meyers, Peterson, Ramirez, Rehberg, Sales, Smith, Swift, Switzer, Thoft, Thomas.

Total 25

Paired: Donaldson, Grady, Harper, Ayes; Ellison, Hannah, Swift, Noes.

Excused: Campbell, Moore.

Total 2

Absent or not voting: Hanson, Mr. Speaker.

Total 2

Representative Addy excused at this time.

Representative Daily moved that HB 2, Section E, be further amended. Amendment failed. (43-56)

Representative Addy present at this time.

Representative Cobb moved that HB 2, Section E, be further amended. Amendment failed. (46-46)

Representative Cobb moved that HB 2, Section E, be further amended. Finding error, Representative Cobb withdrew his amendment.

Representative Cobb moved that HB 2, Section E, be further amended as follows:

1. Page E-3.

Following: line 17

Insert: "The office of public instruction shall use its best efforts, including legal proceedings if necessary, to collect by June 30, county surplus revenues under 20-9-331 and 20-9-333."

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, Devlin, Driscoll, Eudaily, Glaser, Gould, Grinde, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 73

Noes: Asay, D. Brown, Cohen, Daily, DeMars, Fritz, Giacometto, Gilbert, Hanson, Hayne, Keller, Kennerly, Nisbet, Pavlovich, Poff, Quilici, Squires, Strizich.

Total 18

Excused: Campbell, Donaldson, Ellison, Grady, Hannah, Moore.

Total 6

Absent or not voting: Miller, O'Connell, Winslow.

Total 3

Representative Nathe moved that HB 2, Section E, as amended, be closed. Motion carried.

Representative Ellison present at this time.

Representative Lory moved that HB 2, Section F, be amended as follows:

1. Page F-2.

Strike: lines 8 through 13 in their entirety

Amendment passed as follows:

Ayes: Addy, Bradley, D. Brown, J. Brown, Bulger, Compton, Connelly, Corne', Daily, Darko, DeMars, Eudaily, Fritz, Gilbert, Gould, Grinde, Hansen, Harrington, Hayne, Kadas, Keenan, Keller, Kitselman, Lory, Manuel, Menahan, Meyers, Miles, Nelson, Nisbet, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 48

Noes: Asay, Bachini, Bardanouve, Brandewie, Cobb, Cody, Cohen, Devlin, Driscoll, Ellison, Giacometto, Glaser, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jenkins, Jones, Kennerly, Koehnke, McCormick, Menke, Mercer, Miller, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Thoft, Thomas, Whalen.
Total 46

Excused: Campbell, Donaldson, Grady, Hannah, Moore.
Total 5

Absent or not voting: Russell.
Total 1

Representative Pavlovich excused at this time.

Representative Harper moved that HB 2, Section F, be further amended as follows:

1. Page F-2, line 23.

Strike: "1,830,434 1,677,868"

Insert: "901,687 (general fund FY88) 928,747 (state special FY88)

901,687 (general fund FY88) 776,181 (state special FY88)"

Amendment passed as follows:

Ayes: Addy, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gould, Hansen, Harper, Harrington, Hayne, Holliday, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nathe, Nisbet, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow.
Total 50

Noes: Asay, Bachini, Bardanouve, Brandewie, Cobb, Cody, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hanson, Harp, Hoffman, Iverson, Jenkins, Jones, Menke, Mercer, Meyers, Miller, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Swift, Switzer, Swysgood, Thoft, Mr. Speaker.
Total 42

Excused: Campbell, Donaldson, Grady, Hannah, Moore, Pavlovich.
Total 6

Absent or not voting: DeMars, Thomas.
Total 2

Representative Spaeth moved that HB 2, Section F, be further amended as follows:

1. Page F-2, line 23.

Strike: "\$1,830,434 \$1,677,868" (state special revenue columns)

Insert: "\$1,785,634 \$1,586,668" (state special revenue columns)

2. Page F-2, line 25.

Strike: "\$1,665,941 \$232,677 \$1,471,629 \$520,092"

Insert: "\$1,621,141 \$277,477 \$1,380,429 \$611,292"

Amendment passed as follows:

Ayes: Bardanouve, Brandewie, J. Brown, Cobb, Compton, Darko, Devlin, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, McCormick, Menke, Mercer, Meyers, Nathe, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Williams, Mr. Speaker.

Total 56

Noes: Addy, Bachini, Bradley, D. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, DeMars, Eudaily, Fritz, Hansen, Harrington, Keenan, Lory, Manuel, Menahan, Miles, Nelson, Nisbet, O'Connell, Quilici, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 37

Paired: Hannah, Aye; Thomas, No.

Excused: Campbell, Donaldson, Grady, Moore, Pavlovich.
Total 5

Absent or not voting: Asay, Miller.
Total 2

Representative Addy excused at this time.

Representative Manuel moved that HB 2, Section F, be further amended as follows:

1. Page F-2, line 25.

Strike: "1,665,941 1,471,629"

Insert: "1,700,941 1,506,629"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Gilbert, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Nathe, Nelson, Nisbet, O'Connell, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sands, Schye, Simon, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 69

Noes: Cobb, Ellison, Giacometto, Glaser, Grinde, Harp, Jones, Menke, Mercer, Meyers, Patterson, Peterson, Phillips, Rehberg, Roth, Sales, Smith, Stang, Swysgood, Thoft, Thomas.

Total 21

Excused: Addy, Campbell, Donaldson, Grady, Hannah, Moore, Pavlovich.

Total 7

Absent or not voting: Kadas, Miller, Winslow.

Total 3

Representative Addy present at this time.

Representative Nathe moved that HB 2, Section F, be further amended as follows:

1. Page F-4, line 7.

Strike: "8,449,609 \$8,865,338"

Insert: "8,739,609 \$9,205,338" (proprietary columns)

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Cobb, Connelly, Giacometto, Harp, Kadas, Menke, Spaeth.

Total 7

Excused: Campbell, Donaldson, Grady, Hannah, Moore, Pavlovich.

Total 6

Absent or not voting: Miller, O'Connell, Winslow.

Total 3

Representative Addy excused at this time.

Representative Asay moved that HB 2, Section F, be further amended as follows:

1. Page F-4.

Following: line 7

Insert: "14. Higher Education Capital Improvements

\$587,838 \$612,104" (state special revenue columns)

15. Study of High Technology Communications

\$20,000" (state special revenue columns)

2. Page F-4.

Following: line 13

Insert: "Items 14 and 15 are appropriated contingent upon House Bill 862 being enacted. Item 15 is a biennial appropriation."

Amendment passed as follows:

Ayes: Asay, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Devlin, Driscoll, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Manuel, Mercer, Miles, Nathe, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen, Mr. Speaker.

Total 51

Noes: Bachini, Bardanouve, Brandewie, Cobb, Cody, Compton, Daily, Darko, DeMars, Ellison, Fritz, Glaser, Hannah, Harp, Harper, Iverson, Jones, Kitselman, McCormick, Menahan, Menke, Meyers, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Pistoria, Poulsen, Ramirez, Sales, Smith, Spaeth, Squires, Stang, Swift, Switzer, Thoft, Thomas, Williams.

Total 41

Paired: Quilici, Aye; Hannah, No.

Excused: Addy, Campbell, Donaldson, Grady, Moore, Pavlovich.

Total 6

Absent or not voting: Lory, Winslow.

Total 2

Representative Addy present at this time.

Representative Spaeth moved that HB 2, Section F, be further amended as follows:

1. Page F-6, line 22.

Strike: "1,954,375 1,955,847" (general fund columns)

Insert: "1,906,998 1,908,470" (general fund columns)

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, J. Brown, Cobb, Compton, Devlin, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Harp, Harrington, Hoffman, Jones, Kadas, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Williams, Winslow, Mr. Speaker.

Total 48

Noes: Addy, Bachini, Bradley, D. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Fritz, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Koehnke, Manuel, Miles, Miller, Nisbet, O'Connell, Peck, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stratford, Strizich, Swysgood, Vincent, Wallin, Whalen.

Total 47

Paired: Hannah, Aye; Cody, No.

Excused: Campbell, Donaldson, Grady, Moore, Pavlovich.

Total 5

Absent or not voting: None.

Total 0

Representative Rapp-Svrcek moved that HB 2, Section F, be further amended. Amendment failed. (40-59)

Representative Ramirez moved that HB 2, Section F, be further amended. Amendment failed. (32-66)

Representative Eudaily moved that HB 2, Section F, be further amended as follows:

1. Page F-8.

Following: line 18

Insert: "d. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "499,699"

Insert under General Fund for Fiscal 1989: "492,159"

2. Page F-8.

Following: line 23

Insert: "a. Support Program"

3. Page F-8.

Following: line 24

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "131,900"

Insert under General Fund for Fiscal 1989: "259,453"

4. Page F-9.

Following: line 19

Insert: "c. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "383,228"

Insert under General Fund for Fiscal 1989: "384,439"

5. Page F-9.

Following: line 24

Insert: "a. Support Program"

6. Page F-10.

Following: line 3

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "112,637"

Insert under General Fund for Fiscal 1989: "225,615"

7. Page F-10.

Following: line 16

Insert: "a. Instruction Program"

8. Page F-10.

Following: line 17

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "133,375"

Insert under General Fund for Fiscal 1989: "133,579"

9. Page F-10.

Following: line 20

Insert: "a. Support Program"

10. Page F-10.

Following: line 21

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "45,084"

Insert under General Fund for Fiscal 1989: "90,142"

11. Page F-11.

Following: line 12

Insert: "a. Instruction Program"

12. Page F-11.

Following: line 13

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "86,399"

Insert under General Fund for Fiscal 1989: "87,973"

13. Page F-11.

Following: line 16

Insert: "a. Support Program"

14. Page F-11.

Following: line 17

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "23,606"

Insert under General Fund for Fiscal 1989: "47,990"

15. Page F-12.

Following: line 8

Insert: "a. Instruction Program"

16. Page F-12.

Following: line 9

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "47,858"

Insert under General Fund for Fiscal 1989: "47,361"

17. Page F-12.

Following: line 10

Insert: "a. Support Program"

18. Page F-12.

Following: line 11

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "12,832"

Insert under General Fund for Fiscal 1989: "25,356"

19. Page F-13.

Following: line 4

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "82,387"

Insert under General Fund for Fiscal 1989: "82,526"

20. Page F-13.

Following: line 7

Insert: "a. Support Program"

21. Page F-13.

Following: line 8

Insert: "b. Funding Level Increase"

Insert under General Fund for Fiscal 1988: "25,889"

Insert under General Fund for Fiscal 1989: "51,778"

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow.

Total 54

Noes: Asay, Bardanouve, Brandewie, Cobb, Cody, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Nathe, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Mr. Speaker.

Total 46

Paired: Campbell, Donaldson, Grady, Harrington, Moore, Pavlovich, Ayes; Giacometto, Hannah, Holliday, Jones, Swift, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representatives Harp and Thomas excused at this time.

Representative Brandewie moved that HB 2, Section F, be further amended as follows:

1. Page F-9, line 25.

Strike: "1,883,300 1,860,880"

Insert: "1,579,801 1,558,539"

Amendment passed as follows:

Ayes: Asay, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bradley, D. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, DeMars, Eudaily, Fritz, Gould, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams.

Total 46

Paired: Campbell, Devlin, Giacometto, Grady, Hannah, Harp, Thomas, Ayes; Bulger, Eudaily, Harrington, Lory, Moore, Pavlovich, Ream, Noes.

Excused: Donaldson.

Total 1

Absent or not voting: Driscoll.

Total 1

Representative Driscoll excused at this time.

Representative Marks moved that HB 2, Section F, be further amended. Amendment failed. (44-56)

Representative Ream moved that HB 2, Section F, be further amended. Amendment failed. (38-54)

Representative Cobb moved that HB 2, Section F, be further amended. Amendment failed. (40-57)

Representative Cobb moved that HB 2, Section F, be further amended.
Amendment failed. (34-59)

Representative Cobb moved that HB 2, Section F, be further amended.
Amendment failed. (46-50)

Representative Cobb moved that HB 2, Section F, be further amended.
Amendment failed. (42-54)

Representative Nathe moved that HB 2, Section F, as amended, be closed. Motion carried.

Representative Bardanouve moved that HB 2, Sections A and C, be reopened for amendments. Motion carried. (69-19)

Representative Bardanouve moved that HB 2, Sections A and C, be amended as follows:

1. Page A-22.

Strike: lines 9 through 15 in their entirety

2. Page A-24.

Strike: line 25 in its entirety

3. Page C-14.

Following: line 12

Insert: "23. Board of Investments

a. Operations 1,323,267 1,360,660 (Proprietary Funds)

b. Audit 85,064 (Proprietary Fund-Fiscal 1988)

c. Termination Pay 15,000 (Proprietary Fund-Fiscal 1988)"

4. Page C-14, line 13.

Strike: "23"

Insert: "24"

5. Page C-14, line 15.

Strike: "24"

Insert: "25"

6. Page C-14, line 17.

Strike: "25"

Insert: "26"

7. Page C-15.

Following: line 23

Insert: "Item 23c is termination pay for the current chief investment officer in fiscal 1988."

8. Page C-15.

Strike: line 24 in its entirety

Insert: "Items 7b and 23b are biennial appropriations."

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', DeMars, Devlin, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Addy, D. Brown, Cohen, Daily, Darko, Giacometto, Harp, Harper, Harrington, Whalen.

Total 10

Paired: Brandewie, Aye; Harp, No.

Excused: Campbell, Donaldson, Driscoll, Grady, Hannah, Moore, Pavlovich, Thomas.

Total 8

Absent or not voting: Jones, McCormick, Russell, Smith.

Total 4

Representative Rehberg moved that HB 2, Section A, be reopened for technical amendment. Motion carried.

Representative Rehberg moved that HB 2, Section A, be amended as follows:

1. Page A-23, line 12.

Strike: "145,456 145,512"

Insert: "110,884 110,968"

Amendment passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Addy, Bardanouve, D. Brown, Cobb, Cohen, Daily, Harper, Kadas, Nisbet, Peck, Stang, Strizich, Whalen.

Total 13

Excused: Campbell, Donaldson, Driscoll, Grady, Hannah, Harp, Moore, Pavlovich, Thomas.

Total 9

Absent or not voting: Jones, Smith.

Total 2

In the absence of Representative Donaldson, Representative Winslow made the closing comments to HB 2.

HB 2, as amended, failed to pass. (47-53)

Representative Eudaily moved that HB 2, as amended, do not pass. Motion failed. (41-59)

Representative Eudaily moved that the House reconsider its action in failing to pass HB 2. Motion carried. (57-30)

Representative Winslow moved that HB 2, as amended, do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Hayne, Holliday, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Stang, Swysgood, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 57

Noes: Asay, D. Brown, Cobb, Cohen, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Hoffman, Iverson, Jenkins, Jones, Kitselman, Koehnke, Menke, Mercer, Meyers, Nathe, Patterson, Peck, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Simon, Squires, Stratford, Strizich, Swift, Switzer, Thofo, Thomas, Whalen.

Total 43

Paired: Campbell, Donaldson, Driscoll, Eudaily, Fritz, Grady, Lory, Moore, O'Connell, Pavlovich, Smith, Williams, Ayes; Asay, Devlin, Giacometto, Gilbert, Hannah, Harp, Jones, Ramirez, Rehberg, Russell, Switzer, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Eudaily moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kitselman moved the adoption of the committee report. Report adopted. (48-38)

MOTIONS

Representative Eudaily moved that the rules be suspended to allow HB 2 to be heard on third reading this day. Representative Vincent made a substitute motion that the rules be suspended to allow HB 2 on third reading this day, but in addition, Rule 6-34 be suspended to allow all House revenue and appropriations bills that have Senate amendments to be returned to the House by the 85th legislative day, expanding the deadline by two days. Representative Mercer made a further substitute motion to divide Representative Vincent's motion. The motion to divide failed. (43-44)

The Vincent motion failed. (43-43)

Representative Iverson in the Chair.

After debate, the Eudaily motion to suspend the rules failed to get the necessary two-thirds vote. (45-42)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/6/87

Correctly printed: HJR 50.

Delivered to the Governor for his approval at 11:09 a.m.: HB 222, HB 453, HB 512, HB 523, HB 535, HB 607, HB 658, HB 794, HB 825.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House

April 6, 1987

State Capitol
Helena, Montana 59620

Dear Speaker Marks:

Please be informed that I signed House Bills No. 236, 363, 429, 443, 454, 513, 546, 579, 640, 699, and 810 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 6, 1987

The Honorable Bob Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill 252 "A BILL FOR AN ACT ENTITLED: "AN ACT LOWERING COAL SEVERANCE TAX RATES; IMPOSING IN 1991 A SLIDING SCALE RATE SCHEDULE FOR SURFACE-MINED SUBBITUMINOUS COAL BASED ON THE AMOUNT OF COAL PURCHASED; REVISING LEGISLATIVE FINDINGS AND DECLARATIONS OF PURPOSE; AMENDING SECTIONS 15-35-101 THROUGH 15-35-104 AND 15-35-202 THROUGH 15-35-204, MCA; AND PROVIDING AN EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE." without my signature and recommend the attached amendments.

Two years ago, I challenged Montana's coal industry to demonstrate that a lower coal severance tax would be an incentive for increased production and new contracts. The industry met the challenge. Despite a soft coal market, Montana producers secured a major long-term contract and sold over four million additional tons on the spot market. The signers of the long-term contract said the 20% tax rate created by the "window of opportunity" credit made Montana's coal competitive, allowing a Montana producer to compete directly against several Wyoming producers and win a 20-year, multi-million-ton contract.

Based on the success of the 1985 credit, I proposed to the 1987 Legislature a continuation of the "window of opportunity" credit and the phasing down of the tax rate on all Montana coal to 20% by July 1, 1990.

While Montana coal producers agree that the 20% tax rate helped win a contract and increased production during the last two years, they now argue that changes in the energy market — decreased demand for coal and low prices — make a 15% tax rate necessary to keep Montana coal competitive and Montana miners working.

Once again, I say — "prove it." These amendments create a second "window of opportunity" — a renewed challenge to the producers, purchasers, and shippers of Montana coal to demonstrate during the next two years that increased production and jobs will result from a 15% incentive tax rate on additional tons of coal. The Montana Coal Council — which

represents all Montana's producing mines and the major buyers of Montana coal — has told the legislature that the 15% rate on additional coal has the potential to bring at least 5.2 million tons of additional production per year, which represents 200 jobs in Montana coal mines and 1,200 additional jobs in related rail and secondary industries.

If the Montana coal industry utilizes the 15% incentive rate to sell more coal than in recent years, we will lower the tax rate for all coal to 25% on July 1, 1988, to 20% on July 1, 1990, and to 15% by July 1, 1991. This challenge is the best guarantee to Montana miners and Montana citizens that the coal industry will translate predictions into reality. If the 15% incentive rate does not create additional tonnage, the scheduled reduction to 25% in FY89 and to 15% in FY92 would not take place. The 1989 Legislature can re-examine, based on the evidence provided during this second "window of opportunity," the rate at which Montana coal should be taxed in the future.

Some coal miners have argued that a 5% incentive tax rate — or no tax at all — is needed to keep Montana coal competitive. I reject that argument. Montana's coal industry and its customers assure us that a 15% tax rate can produce 5.2 million additional tons and 200 mining jobs. There is no solid evidence that a still lower tax rate would bring more production or create more jobs, but a "bargain basement" rate would give away badly needed revenue and potentially ignite a no-win "tax war" with Wyoming.

GOVERNOR'S AMENDMENTS
TO HOUSE BILL NO. 252
(Reference Copy)
(April 6, 1987)

1. Title, lines 6 through 8.

Following "RATES;" on line 6

Strike: remainder of line 6 through "PURCHASED;" on line 8

Insert: "PROVIDING A CONTINGENT PERMANENT REDUCTION; EXTENDING THE NEW PRODUCTION CREDIT"

2. Title, line 10.

Following: "5-35-104"

Strike: "AND"

Insert: " , "

Following: "15-35-202"

Strike: "THROUGH 15-35-204"

Insert: " , AND 15-35-203"

3. Page 3, line 25.

Following: "purchaser"

Insert: " , except as provided in (b) , "

4. Page 3, line 25.

Following: "MEANS"

Insert: " : (a) "

5. Page 4, line 2.

Following: line 1

Strike: "(a) "

Insert: "(i) "

6. Page 4, line 5.

Following: line 4

Strike: "(b) "

Insert: "(ii) "

7. Page 4, line 6.

Following: line 5

Strike: "(i)"

Insert: "(A)"

8. Page 4, line 9.

Following: line 8

Strike: "(ii)"

Insert: "(B)"

9. Page 4, line 17.

Following: line 16

Insert: "(b) If the volume calculated in subsection (a)(i) is less than one-third of the volume calculated in subsection (a)(ii), the base consumption level is the volume calculated in (a)(ii)."

10. Page 4, line 18.

Following: line 17

Insert: "Except as provided in (b)"

11. Page 4, line 19.

Following: line 18

Strike: "(a)"

Insert: "(i)"

12. Page 4, line 22.

Following: "line 21"

Strike: "(b)"

Insert: "(ii)"

13. Page 4, line 24.

Following: line 23

Insert: "(b) If the amount calculated in subsection (a)(ii) is less than one-third of the amount calculated in (a)(i), the base consumption level is the amount calculated in subsection (a)(i)"

14. Page 6, lines 13 and 14.

Following: line 12

Strike: subsection (9) in its entirety

Renumber: subsequent subsections

15. Page 7, lines 5 and 6.

Following: line 4

Strike: subsection 14 in its entirety

Renumber: subsequent subsections

16. Page 7, line 18 through page 9, line 19.

Strike: section 3 in its entirety

Insert: "Section 3. Section 15-35-103, MCA, is amended to read:

"15-35-103. Severance tax — rates imposed — exemptions. (1) Except as provided in subsection (2), a severance tax is imposed on each ton of coal produced in the state in accordance with the following schedule:

(a) Fiscal Year 1988 and 1989:

Heating quality (Btu per pound of coal):	Surface Mining	Underground Mining
Under 7,000	12 cents or 20% of value	5 cents or 3% of value
7,000-8,000	22 cents or	8 cents or

	30% of value	4% of value
8,000-9,000	34 cents or	10 cents or
	30% of value	4% of value
Over 9,000	30% of value	4% of value

(b) Fiscal Year 1990:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	12 cents or	5 cents or
	13% of value	3% of value
<u>7,000-8,000</u>	22 cents or	8 cents or
	25% of value	4% of value
<u>8,000-9,000</u>	34 cents or	10 cents or
	25% of value	4% of value
<u>Over 9,000</u>	40 cents or	12 cents or
	25% of value	4% of value

(c) Fiscal Year 1991 and thereafter:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	12 cents or	5 cents or
	13% of value	3% of value
<u>7,000-8,000</u>	22 cents or	8 cents or
	20% of value	4% of value
<u>8,000-9,000</u>	34 cents or	10 cents or
	20% of value	4% of value
<u>Over 9,000</u>	40 cents or	12 cents or
	20% of value	4% of value

(2)(a)(i) On or before October 1, 1988, the department shall determine the total number of tons of coal produced in Montana and sold from July 1, 1987 through June 30, 1987. If the department finds that these sales exceed 32.2 million tons (which is the average total yearly coal sales for calendar years 1983, 1984, 1985 and 1986), the rate of the coal severance tax is as set forth in subsections (2)(b) and (2)(c).

(ii) If any facility that burned Montana coal at any time from July 1, 1987 to June 30, 1988 does not operate during a portion of that period due to mechanical failure, the department shall determine the average monthly sales of Montana coal to the facility during its operation and multiply this figure by 12. The department shall include the product of this calculation making its determination of coal produced in Montana and sold from July 1, 1987 through June 30, 1988.

(b) The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state from July 1, 1988, through June 30, 1990 is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	12 cents or	5 cents of
	17% of value	3% of value
<u>7,000-8,000</u>	22 cents or	8 cents of
	25% of value	4% of value

<u>Over 9,000</u>	<u>40 cents or</u> <u>25% of value</u>	<u>12 cents or</u> <u>4% of value</u>
(c) <u>The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state from July 1, 1990 until June 30, 1991 is:</u>		
<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	<u>12 cents or</u> <u>13% of value</u>	<u>5 cents or</u> <u>3% of value</u>
<u>7,000-8,000</u>	<u>22 cents or</u> <u>20% of value</u>	<u>8 cents or</u> <u>4% of value</u>
<u>8,000-9,000</u>	<u>34 cents or</u> <u>20% of value</u>	<u>10 cents or</u> <u>4% of value</u>
<u>Over 9,000</u>	<u>40 cents or</u> <u>20% of value</u>	<u>12 cents or</u> <u>4% of value</u>

(d) The severance tax imposed pursuant to subsection (2)(a) or each ton of coal produced in the state after June 30, 1991 is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	<u>12 cents or</u> <u>13% of value</u>	<u>5 cents or</u> <u>3% of value</u>
<u>7,000-8,000</u>	<u>22 cents or</u> <u>15% of value</u>	<u>8 cents</u> <u>4% of value</u>
<u>8,000-9,000</u>	<u>34 cents or</u> <u>15% of value</u>	<u>10 cents</u> <u>4% of value</u>
<u>Over 9,000</u>	<u>15% of value</u>	<u>4% of value</u>

(3) "Value" means the contract sales price.

(4) The formula which yields the greater amount of tax in a particular case shall be used at each point on this schedule.

(5) A person is not liable for any severance tax upon 50,000 tons of the coal he produces in a calendar year, except that if he produces more than 50,000 tons of coal in a calendar year, he will be liable for severance tax upon all coal produced in excess of the first 20,000 tons.

(6) A new coal production incentive tax credit may be claimed on certain coal as provided in 15-35-202."

17. Page 9, line 20 through page 10, line 19.

Strike: section 4 in its entirety

18. Page 11, line 15 through page 12, line 9.

Strike: section 6 in its entirety

Insert: "Section 6. Section 15-35-202, MCA, is amended to read:

15-35-202. New coal production incentive tax credit allowed — application limited. (1) A coal mine operator is entitled to a new coal production incentive tax credit of 33% of against the tax imposed under 15-35-103 of:

(a) 33 1/3% for incremental production sold during calendar years 1985 and 1986;

(b) 50% for incremental production sold from January 1, 1987 until June 30, 1988; and

(c) 40% for incremental production sold from July 1, 1988 until June 30, 1990; provided, however, that if the production quota established in 15-35-103 (2)(a)(i) is not met, the tax credit for this period is 50% for fiscal year 1989 and 40% for fiscal year 1990..

(2) (a) A coal mine operator is entitled to a new coal production incentive tax credit of ~~33 1/3%~~ against the tax imposed under 15-35-103 on incremental production for the entire term of an agreement, except as provided in subsection (3) if the incremental production resulted from coal purchases under:

(i) an existing agreement which was extended between January 1, 1985, and June 3, 1987 December 31, 1988, for at least a 5 year period; or

(ii) a new agreement that was executed between January 1, 1985, and December 31, 1988.

(b) The rate of credit allowed under (2)(a) is:

(i) 33 1/3% for incremented production sold from January 1, 1985 until December 31, 1987;

(i) 50% for any incremental production sold from January 1, 1985 until June 30, 1988;

(ii) 40% for any incremental production sold from July 1, 1988 until June 30, 1990. However, established in 15-35-103 (2)(a)(i) is not met, the tax credit for this period is 59%: and

(iii) 25% for any incremental production sold from July 1, 1990 til June 30, 1991.

(iv) 25% after June 30, 1991 if the production quota in 15-35-103(2)(a)(l) has not been met.

(3) No credit may be claimed for coal produced prior to January 1, 1985.

19. Following: line 17.

Insert: (b) distributing the incremental production for each quarter among the quarters in the calendar year in the same proportion as the total volume of coal sold each quarter to each respective purchaser and summing the amounts for all purchasers to determine the purchase incremental production for each quarter.

20. Page 12, line 20.

Following: "purchaser"

Insert: "each quarter"

Renumber subsequent sections

21. Page 12, line 23.

Following: line 22

Strike: "calendar year"

Insert: "quarter"

22. Page 12, line 25.

Following: line 24

Strike: "33 1/3%"

Insert: "the appropriate percentage on provided in 15-35-202 for each quarter"

23. Page 13, line 2.

Following: "purchasers"

Insert: "for all four quarters of the calendar year"

24. Page 13, lines 8 and 9.

Following: "year." on line 8

Strike: remainder of line 8 through "subsection." on line 9

25. Page 14, line 4.

Strike: section 8 in its entirety

Renumber: subsequent sections

26. Page 16, lines 8 through 11.

Strike: section 10 in its entirety

Insert: "Section 10. Applicatility. This act applies retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 1986.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 6, 1987

Dear Representative Marks and Senator Norman:

Proofreading of the amendments to House Bill No. 252 that I sent to you earlier today revealed several typographical errors. The attached amendments have been changed to correct those errors. Please substitute these amendments for those enclosed in my earlier letter.

Governor's Proposed Amendments
to HB 252

1. Title, lines 6 through 8.

Following: "RATES;" on line 6

Strike: remainder of line 6 through "PURCHASED;" on line 8

Insert: "PROVIDING A CONTINGENT PERMANENT REDUCTION; EXTENDING THE NEW PRODUCTION CREDIT"

2. Title, line 10.

Following: "15-35-104"

Strike: "AND"

Insert: " , "

Following: "15-35-202"

Strike: "THROUGH 15-35-204"

Insert: " , AND 15-35-203"

3. Page 3, line 25.

Following: "purchaser"

Insert: " , except as provided in (b),"

4. Page 3, line 25.

Following: "MEANS"

Insert: " : (a)"

5. Page 4, line 2.

Following: line 1

Strike: “(a)”

Insert: “(i)”

6. Page 4, line 5.

Following: line 4

Strike: “(b)”

Insert: “(ii)”

7. Page 4, line 6.

Following: line 5

Strike: “(i)”

Insert: “(A)”

8. Page 4, line 9.

Following: line 8

Strike: “(ii)”

Insert: “(B)”

9. Page 4, line 17.

Following: line 16

Insert: “(b) If the volume calculated in subsection (a)(i) is less than one-third of the volume calculated in subsection (a)(ii), the base consumption level is the volume calculated in (a)(ii).”

10. Page 4, line 18.

Following: line 17

Insert: “except as provided in (b)”

Following: “means”

Insert: “(a)”

11. Page 4, line 19.

Following: line 18

Strike: “(a)”

Insert: “(i)”

12. Page 4, line 22.

Following: “line 21”

Strike: “(b)”

Insert: “(ii)”

13. Page 4, line 24.

Following: line 23

Insert: “(b) If the amount calculated in subsection (a)(ii) is less than one-third of the amount calculated in (a)(i), the base consumption level is the amount calculated in subsection (a)(i)”

14. Page 6, lines 13 and 14.

Following: line 12

Strike: subsection (9) in its entirety

Renumber: subsequent subsections

15. Page 7, lines 5 and 6.

Following: line 4

Strike: subsection (14) in its entirety

Renumber: subsequent subsections

16. Page 7, line 18 through page 9, line 19.

Strike: section 3 in its entirety

Insert: “Section 3. Section 15-35-103, MCA, is amended to read:

“15-35-103. Severance tax — rates imposed — exemptions. (1) Except as provided in subsection (2), a severance tax is imposed on each ton of coal produced in the state in accordance with the following schedule:

(a) Fiscal Year 1988 and 1989:

Heating quality (Btu per pound of coal):	Surface Mining	Underground Mining
Under 7,000	12 cents or 20% of value	5 cents or 3% of value
7,000-8,000	22 cents or 30% of value	8 cents or 4% of value
8,000-9,000	34 cents or 30% of value	10 cents or 4% of value
Over 9,000	40 cents or 30% of value	4% of value

(b) Fiscal Year 1990:

Heating quality (Btu per pound of coal):	Surface Mining	Underground Mining
<u>Under 7,000</u>	12 cents or 13% of value	5 cents or 3% of value
<u>7,000-8,000</u>	22 cents or 25% of value	8 cents or 4% of value
<u>8,000-9,000</u>	34 cents or 25% of value	10 cents or 4% of value
<u>Over 9,000</u>	40 cents or 25% of value	12 cents or 4% of value

(c) Fiscal Year 1991 and thereafter:

Heating quality (Btu per pound of coal):	Surface Mining	Underground Mining
<u>Under 7,000</u>	12 cents or 13% of value	5 cents or 3% of value
<u>7,000-8,000</u>	22 cents or 20% of value	8 cents or 4% of value
<u>8,000-9,000</u>	34 cents or 20% of value	10 cents or 4% of value
<u>Over 9,000</u>	40 cents or 20% of value	12 cents or 4% of value

(2)(a)(i) On or before October 1, 1988, the department shall determine the total number of tons of coal produced in Montana and sold from July 1, 1987 through June 30, 1988. If the department finds that these sales exceed 32.2 million tons (which is the average total yearly coal sales for calendar years 1983, 1984, 1985 and 1986), the rate of the coal severance tax is as set forth in subsections (2)(b) and (2)(c).

(ii) If any facility that burned Montana coal at any time from July 1, 1987 to June 30, 1988 does not operate during a portion of that period due to machanical failure, the department shall determine the average monthly sales of Montana coal to the facility during its operation and multiply this figure by 12. The department shall

include the product of this calculation making its determination of coal produced in Montana and sold from July 1, 1987 through June 30, 1988.

(b) The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state from July 1, 1988, through June 30, 1990 is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	12 cents or 17% of value	5 cents of 3% of value
<u>7,000-8,000</u>	22 cents or 25% of value	8 cents of 4% of value
<u>Over 9,000</u>	40 cents or 25% of value	12 cents or 4% of value

(c) The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state from July 1, 1990 until June 30, 1991 is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	12 cents or 13% of value	5 cents or 3% of value
<u>7,000-8,000</u>	22 cents or 20% of value	8 cents or 4% of value
<u>8,000-9,000</u>	34 cents or 20% of value	10 cents or 4% of value
<u>Over 9,000</u>	40 cents or 20% of value	12 cents or 4% of value

(d) The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state after June 30, 1991 is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	12 cents or 13% of value	5 cents or 3% of value
<u>7,000-8,000</u>	22 cents or 15% of value	8 cents 4% of value
<u>8,000-9,000</u>	34 cents or 15% of value	10 cents 4% of value
<u>Over 9,000</u>	15% of value	4% of value

(3) "Value" means the contract sales price.

(2)(4) The formula which yields the greater amount of tax in a particular case shall be used at each point on this schedule.

(3)(5) A person is not liable for any severance tax upon 50,000 tons of the coal he produces in a calendar year, except that if he produces more than 50,000 tons of coal in a calendar year, he will be liable for severance tax upon all coal produced in excess of the first 20,000 tons.

(4)(6) A new coal production incentive tax credit may be claimed on certain coal as provided in 15-35-202."

17. Page 9, line 20 through page 10, line 19.

Strike: section 4 in its entirety

Renumber subsequent subsections

18. Page 11, line 15 through page 12, line 9.

Strike: section 6 in its entirety

Insert: "Section 6. Section 15-35-202, MCA, is amended to read:

15-35-202. New coal production incentive tax credit allowed — application limited. (1) A coal mine operator is entitled to a new coal production incentive tax credit of $33\frac{1}{3}\%$ of against the tax imposed under 15-35-103 of:

(a) $33\frac{1}{3}\%$ for incremental production sold during calendar years 1985 and 1986;

(b) 50% for incremental production sold from January 1, 1987 until June 30, 1988; and

(c) 40% for incremental production sold from July 1, 1988 until June 30, 1990; provided, however, that if the production quota established in 15-35-103 (2)(a)(i) is not met, the tax credit for this period is 50% for fiscal year 1989 and 40% for fiscal year 1990.

(2) (a) A coal mine operator is entitled to a new coal production incentive tax credit of $33\frac{1}{3}\%$ against the tax imposed under 15-35-103 on incremental production for the entire term of an agreement, except as provided in subsection (3), if the incremental production resulted from coal purchases under:

(i) an existing agreement which was extended between January 1, 1985, and June 30, 1987 December 31, 1988, for at least a 5-year period; or

(ii) a new agreement that was executed between January 1, 1985, and June 30, 1987 December 31, 1988.

(b) The rate of credit allowed under (2)(a) is:

(i) $33\frac{1}{3}\%$ for incremented production sold from January 1, 1985 until December 31, 1986;

(ii) 50% for any incremental production sold from January 1, 1987 until June 30, 1988;

(iii) 40% for any incremental production sold from July 1, 1988 until June 30, 1990. However, if the production quota established in 15-35-103 (2)(a)(i) is not met, the tax credit for this period is 50% for fiscal year 1989 and 40% for fiscal year 1990; and

(iv) 25% for any incremental production sold from July 1, 1990 til June 30, 1991.

(v) 25% after June 30, 1991 if the production quota in 15-35-103(2)(a)(i) has not been met.

(3) No credit may be claimed for coal produced prior to January 1, 1985.

19. Following: line 17.

Insert: (b) distributing the incremental production for each quarter among the quarters in the calendar year in the same proportion as the total volume of coal sold each quarter to each respective purchaser and summing the amounts for all purchasers to determine the purchaser's incremental production for each quarter.

RENUMBER SUBSEQUENT SUBSECTIONS

20. Page 12, line 20.

Following: "purchaser"

Insert: "each quarter"

21. Page 12, line 23.

Following: line 22

Strike: "calendar year"

Insert: "quarter"

22. Page 12, line 25.

Following: line 24

Strike: "33 1/3%"

Insert: "the appropriate percentage on provided in 15-35-202 for each quarter"

23. Page 13, line 2.

Following: "purchasers"

Insert: "for all four quarters of the calendar year"

24. Page 13, lines 8 and 9.

Following: "year." on line 8

Strike: remainder of line 8 through "subsection." on line 9

25. Page 14, line 4.

Strike: section 8 in its entirety

Renumber: subsequent sections

26. Page 16, lines 8 through 11.

Strike: section 10 in its entirety

Insert: "Section 10. Applicatily. This act applies retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 1986.

Sincerely,

Ted Schwinden
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 51, introduced by Winslow, Cobb. Referred to Committee on Business and Labor.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Eudaily moved that the House adjourn until 10:00 a.m., April 7, 1987.

Motion carried.

House adjourned at 8:52 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 7, 1987

House Chambers
State Capitol

House convened at 10:15 a.m., Mr. Speaker in the Chair. Invocation by Representative Nelson. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Campbell, Hannah, Mercer, Moore, Raney, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-fifth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/6/87

HB 372, introduced by Miller

HB 852, introduced by Nathe

HJR 42, introduced by Vincent

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/6/87

HB 586, introduced by Gould

House amendments to Senate bill concurred in: 4/6/87

SB 142, introduced by Weeding

Conference committee report adopted: 4/6/87

HB 210, free conference committee report

The Senate, on 4/6/87, failed to concur in House amendments to SB 219 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 219.

The President appointed the following members:

Senator Meyer, Chairman
Senator Smith
Senator Jergeson

The Senate, on 4/6/87, failed to concur in House amendments to SB 371 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 371.

The President appointed the following members:

Senator Regan, Chairman
Senator Bengtson
Senator Harding

MOTIONS

Representative Cobb moved that consideration of HB 889 on 2nd reading be passed for the day because of the absence of the sponsor, Representative Winslow. Motion carried.

Representative Thoft moved that HB 434 be placed below HB 471 on the second reading board, because the bill contained supplemental appropriations which needed to be acted on as soon as possible. Motion carried.

Representative Donaldson moved that consideration of Senate amendments to HB 39 on second reading be passed for the day, because it contained some sensitive wording they were still checking on. This is the bill transferring the vo-techs to the Board of Regents. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 910, introduced by Winslow. Referred to Committee on Taxation.

HB 911, introduced by Cobb. Referred to Committee on State Administration.

HJR 52, introduced by Simon, J. Brown, McCormick, Swysgood, Bachini, Nisbet, S. Hansen, Brandewie, Thomas, Glaser, Grinde, Wallin, C. Smith, Jones, Kitselman, Cohen, Driscoll, Whalen, Pavlovich. Referred to Committee on Business and Labor.

HJR 53, introduced by Bulger, Bradley, Raney, Winslow, Vincent, Connelly, Darko, Bardanouve, Marks, Peck, Stang, Nathe, Switzer, Quilici, Kadas, Miles, Rehberg, Ramirez, Keenan, Mercer, Meyers, Miller, Spaeth, Poulsen, Menahan, Nisbet, Schye, Sands, Iverson, Cody, Strizich, Harrington, D. Brown, Thoft, Brandewie, Ream, McCormick. Referred to Committee on Human Services.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 46 - Representative Brandewie moved that HJR 46 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 86

Noes: Cody, Grinde, Peck.

Total 3

Excused: Addy, Campbell, Hannah, Mercer, Moore, Raney, Winslow.

Total 7

Absent or not voting: Asay, D. Brown, Nathe, Mr. Speaker.

Total 4

HJR 47 - Representative Pistoria moved that HJR 47 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Strizich, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 85

Noes: Devlin, Giacometto, Harrington, Stang, Stratford, Swift, Williams.

Total 7

Excused: Addy, Campbell, Hannah, Mercer, Moore, Raney, Winslow.

Total 7

Absent or not voting: Nathe.

Total 1

HJR 48 - Representative Spaeth moved that HJR 48 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Addy, Campbell, Hannah, Mercer, Moore, Raney, Winslow.

Total 7

Absent or not voting: Nathe, Poulsen, Simon.

Total 3

Representative Mercer present at this time.

HJR 49 - Representative Miles moved that HJR 49 do pass. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips,

Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams.

Total 80

Noes: Devlin, Ellison, Giacometto, Hanson, Hoffman, Menke, Sales, Switzer, Wallin, Mr. Speaker.

Total 10

Excused: Addy, Campbell, Hannah, Moore, Raney, Winslow.

Total 6

Absent or not voting: Nathe, Peterson, Poulsen, Simon.

Total 4

SB 335 - Representative Ramirez moved that SB 335 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Addy, Campbell, Hannah, Moore, Raney, Winslow.

Total 6

Absent or not voting: Nathe.

Total 1

Representative Raney present at this time.

HB 471 - Representative Darko moved that the free conference committee report on HB 471 be adopted. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 89

Noes: Cohen, Sales, Switzer, Whalen.

Total 4

Excused: Addy, Campbell, Hannah, Moore, Winslow.

Total 5

Absent or not voting: Iverson, Nathe.

Total 2

Representative D. Brown excused at this time.

HB 434 - Representative Thoft moved that Senate amendments to HB 434 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Thoft, Vincent, Wallin, Williams, Mr. Speaker.

Total 68

Noes: Cobb, Cohen, Connelly, Ellison, Giacometto, Glaser, Gould, Grinde, Harrington, Kennerly, Mercer, Peck, Phillips, Raney, Sales, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Whalen.

Total 23

Excused: Addy, D. Brown, Campbell, Hannah, Moore, Winslow.

Total 6

Absent or not voting: Devlin, Menke, Nathe.

Total 3

HB 5 - Representative Thoft moved that Senate amendments to HB 5 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 86

Noes: Cobb, Ellison, Giacometto, Raney.

Total 4

Excused: Addy, D. Brown, Campbell, Hannah, Moore, Winslow.

Total 6

Absent or not voting: Harrington, Nathe, Ream, Mr. Speaker.

Total 4

HB 6 - Representative Thoft moved that Senate amendments to HB 6 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll,

Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams.

Total 81

Noes: Cobb, Cody, Cohen, Giacometto, Hanson, Whalen.

Total 6

Excused: Addy, D. Brown, Campbell, Hannah, Moore, Winslow.

Total 6

Absent or not voting: Bardanouve, Fritz, Harrington, Nathe, Peterson, Ream, Mr. Speaker.

Total 7

HB 73 - Representative Bradley moved that Senate amendments to HB 73 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 90

Noes: Cody.

Total 1

Excused: Addy, D. Brown, Campbell, Hannah, Moore, Winslow.

Total 6

Absent or not voting: Miller, Nathe, Mr. Speaker.

Total 3

Representative Donaldson excused at this time.

HB 78 - Representative J. Brown moved that Senate amendments to HB 78 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Miles, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 84

Noes: Cobb, Driscoll, Gould, McCormick, Mercer, Meyers.

Total 6

Excused: Addy, D. Brown, Campbell, Donaldson, Hannah, Moore, Winslow.

Total 7

Absent or not voting: Miller, Nathe, Mr. Speaker.

Total 3

Representative Addy present at this time.

HB 102 - Representative Grady moved that Senate amendments to HB 102 be concurred in. Representative Kitselman made a substitute motion that Senate amendments to HB 102 be not concurred in. Motion failed. (41-53)

HB 102, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Corne', Daily, Darko, DeMars, Ellison, Eudaily, Fritz, Giacometto, Grady, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Nisbet, Pavlovich, Peterson, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Schye, Spaeth, Squires, Strizich, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 54

Noes: Addy, Asay, Bachini, Bradley, Compton, Connelly, Devlin, Driscoll, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Jones, Kadas, Kitselman, Manuel, Menke, Nathe, Nelson, Patterson, Peck, Phillips, Poff, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Wallin, Winslow.

Total 41

Paired: Harper, Mr. Speaker, Ayes; Hannah, Winslow, Noes.

Excused: D. Brown, Campbell, Donaldson, Moore.

Total 4

Absent or not voting: O'Connell.

Total 1

HB 152 - Representative Bardanouve moved that HB 152 be placed below HB 171 on the second reading board. Motion carried.

Representative Schye excused at this time.

HB 166 - Representative Jones moved that Senate amendments to HB 166 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: D. Brown, Campbell, Donaldson, Hannah, Moore, Schye, Winslow.

Total 7

Absent or not voting: Roth, Thoft.

Total 2

HB 167 - Representative Gilbert moved that Senate amendments to HB 167 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 85

Noes: Driscoll, Hansen, Harper, Kadas, Nisbet, Raney.

Total 6

Excused: D. Brown, Campbell, Donaldson, Hannah, Moore, Schye, Winslow.

Total 7

Absent or not voting: Grady, Thoft.

Total 2

Representative D. Brown present at this time.

HB 170 - Representative Jones moved that Senate amendments to HB 170 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Campbell, Donaldson, Hannah, Moore, Schye, Winslow.

Total 6

Absent or not voting: Phillips, Thoft.

Total 2

Representative Eudaily moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (85-7)

MOTIONS

Representative Eudaily moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 12:05 p.m.

House reconvened at 2:00 p.m.

Mr. Speaker in the Chair.

Representatives Asay, Cohen, Compton, Harper, Kitselman, Rehberg, Sands, and Simon excused at this time.

Representative Eudaily moved that the rules be suspended to allow Senate amendments to HB 434 to be heard on third reading this day. This is the bill containing the supplemental appropriations. Motion carried.

Representative Eudaily moved that the conference committee on HB 326 be dissolved, and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate on HB 326. Motion carried.

The Speaker appointed Representatives Gould, Mercer, and Addy to the free conference committee on HB 326.

Representatives Rapp-Svrcek and Roth excused at this time.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 7, 1987

Dear Speaker Marks:

Please be informed that I signed House Bills No. 53, 69, 121, 220, 253, 282, 316, 365, 492, 566, 654, 762, 779, 804, and 823 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 7, 1987

The Honorable Bob Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No.

397, "AN ACT TO INCREASE UNDER CERTAIN CONDITIONS THE KILOVOLT THRESHOLD FOR THE PURPOSE OF DEFINING A TRANSMISSION LINE UNDER THE MONTANA MAJOR FACILITY SITING ACT; TO PROVIDE FOR NOTICE TO THE PUBLIC AND TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION; AMENDING SECTION 75-20-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" without my signature and recommend the attached amendments for the following reasons.

House Bill No. 397 is intended to allow utilities and co-ops to site non-controversial 100 and 115 kV transmission lines without invoking the public review process required by the Major Facility Siting Act. If a utility can get 75% of the landowners collectively owning more than 75% of the property along the transmission line route to agree to rights-of-way, the facility is exempt from the Siting Act. The bill contains a requirement for notifying affected landowners and the Department of Natural Resources and Conservation (DNRC) prior to acquiring such rights-of-way for a particular line. However, there are no provisions in the bill for the state to verify that a utility or a co-op has achieved the proper level of landowner agreement to exempt a transmission line project from Siting Act review. My sixth amendment provides a mechanism to verify compliance. This amendment also establishes a three year time frame, unless extended by the Board of Natural Resources and Conservation for good cause, for the utility or co-op to secure the necessary landowner consent. Further, this amendment provides in subsection (2) that if the utility or co-op is unsuccessful in timely acquisition of landowner consent, the line and associated facilities are subject to certification under the Major Facility Siting Act. This provision is intended to prevent a utility or co-op from re-noticing the line under Section 2 in order to gain any additional time to secure landowner consent.

My ninth amendment provides protection for landowners that have already gone through the Siting Act process and for which a utility has been issued a certificate for a transmission line or associated facility by the Board of Natural Resources and Conservation. These existing certificates must be honored to protect those parties that have invested their time and money in the certification process.

My first, second, third, fourth, seventh, and eighth amendments are to correct grammatical defects and do not alter the intent or substance of the bill. My fifth amendment makes it clear that the Department of Natural Resources and Conservation has a statutory duty to provide Siting Act information to those landowners who want further information. A utility or co-op may also provide information, but I do not believe that it needs to be required to do so by statute.

I urge your concurrence in these amendments.

Governor's Proposed Amendments to HB 397

1. Title, line 8.

Following: "CONSERVATION;"

Insert: "TO PROVIDE FOR VERIFICATION OF LANDOWNER CONSENT;"

2. Title, line 10.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

3. Page 6, line 11.

Following: "LENGTH,"

Insert: "it must provide"

Following: "NOTICE"

Strike: "MUST BE PROVIDED"

4. Page 6, lines 13 and 14.

Following: "AND" on line 13

Strike: remainder of line 13 through "PROVIDED" on line 14

5. Page 6, line 21.

Following: "OWNERS"

Strike: "THAT THEY HAVE CERTAIN RIGHTS"

Insert: "of their rights under this chapter"

6. Page 6, lines 24 and 25.

Following: "DEPARTMENT" on line 24

Strike: remainder of line 24 through "LINE" on line 25

7. Page 6.

Following: line 25

Insert: "NEW SECTION. Section 3. Verification. (1) Prior to constructing a transmission line under subsection (10)(b)(ii) of 75-20-104, the person planning to construct the line must provide to the department within 36 months of the date of the public notice provided under [section 2], unless extended by the board for good cause:

(a) copies of the right-of-way agreements or options for a right-of-way containing sufficient information to establish landowner consent to construct the line; and

(b) sufficient information for the department to verify to the board that the requirements of subsection (10)(b)(ii) of 75-20-104 are satisfied.

(2) The provisions of subsection (10)(b)(ii) of 75-20-104 do not apply to any facility for which public notice under [section 2] has been given but for which the requirements of subsection (1) have not been complied with."

Renumber: subsequent sections

8. Page 7, line 6.

Strike: "SECTION 2 IS"

Insert: "Sections 2 and 3 are"

9. Page 7, line 8.

Following: "TO"

Strike: "SECTION 2"

Insert: "sections 2 and 3"

10. Page 7.

Following: line 8

Insert: "NEW SECTION. Section 6. Applicability. The provisions of this act do not apply to any transmission lines or associated facilities that have been certified under this chapter prior to the effective date of this act."

Renumber: subsequent section

Sincerely,

Ted Schwinden
Governor

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 171 - Representative Fritz moved that Senate amendments to HB 171 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Russell, Sales, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 77

Noes: None.

Total 0

Excused: Asay, Campbell, Cohen, Compton, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Schye, Simon, Winslow.

Total 16

Absent or not voting: Cobb, Hansen, Harp, Menahan, Miller, Ramirez, Smith.

Total 7

Representative Asay present at this time.

HB 152 - Representative Bardanouve moved that Senate amendments to HB 152 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: None.

Total 0

Excused: Campbell, Cohen, Compton, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Schye, Simon, Winslow.

Total 15

Absent or not voting: Cobb, Miller, Peterson, Smith.

Total 4

Representative Schye present at this time.

HB 179 - Representative Jones moved that Senate amendments to HB 179 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 77

Noes: DeMars, Giacometto, Grinde, Peck, Stang, Switzer.

Total 6

Excused: Campbell, Cohen, Compton, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 14

Absent or not voting: Cobb, Miller, Smith.

Total 3

HB 207 - Representative Addy moved that Senate amendments to HB 207 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 83

Noes: None.

Total 0

Excused: Campbell, Cohen, Compton, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 14

Absent or not voting: Cobb, Miller, Smith.

Total 3

HB 211 - Representative Devlin moved that Senate amendments to HB 211 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 82

Noes: None.

Total 0

Excused: Campbell, Cohen, Compton, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 14

Absent or not voting: Cobb, Ellison, Harrington, Smith.

Total 4

HB 219 - Representative Holliday moved that Senate amendments to HB 219 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Peck.

Total 1

Excused: Campbell, Cohen, Compton, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 14

Absent or not voting: Smith.

Total 1

Representatives Cohen and Compton present at this time.

HB 241 - Representative Spaeth moved that Senate amendments to HB 241 be not concurred in. Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Sales, Schye, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 65

Noes: Addy, Bachini, Bradley, Cohen, Corne', Driscoll, Kadas, Keenan, Kennerly, McCormick, Menahan, Miles, Nisbet, Peck, Raney, Russell, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 22

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Smith.

Total 1

HB 283 - Representative Darko moved that Senate amendments to HB 283 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Peterson, Smith.

Total 2

HB 284 - Representative Darko moved that Senate amendments to HB 284 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: None.

Total 0

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Smith.

Total 1

HB 286 - Representative Spaeth moved that Senate amendments to HB 286 be concurred in. Representative Spaeth made a substitute motion that consideration of Senate amendments to HB 286 be passed for the day. Motion carried.

HB 300 - Representative Lory moved that Senate amendments to HB 300 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 79

Noes: Gilbert, Holliday, Nathe, Peck, Peterson, Poulsen, Sales.

Total 7

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Smith, Mr. Speaker.

Total 2

HB 302 - Representative Bradley moved that Senate amendments to HB 302 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Russell, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams.

Total 74

Noes: Cobb, Cohen, Connelly, Jenkins, Koehnke, Nisbet, Peck, Raney, Sales, Schye, Stang, Thomas.

Total 12

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Smith, Mr. Speaker.

Total 2

HB 309 - Representative Quilici moved that Senate amendments to HB 309 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Iverson, Smith.

Total 2

HB 322 - Representative Eudaily moved that Senate amendments to HB 322 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 80

Noes: Gilbert, Gould, Jenkins, Jones, Phillips, Swysgood.

Total 6

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Grady, Smith.

Total 2

HB 325 - Representative Mercer moved that Senate amendments to HB 325 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: Giacometto, Hanson, Nathe, Raney, Sales.

Total 5

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Winslow.

Total 12

Absent or not voting: Miles, Smith.

Total 2

HB 329 - Representative Ream moved that Senate amendments to HB 329 be concurred in. Motion failed. (40-45)

Representative Eudaily moved that Senate amendments to HB 329 be not concurred in. Motion failed. (41-46)

Representative Eudaily moved that the House reconsider its action in failing to concur in Senate amendments to HB 329. Motion carried. (56-30)

Representative Rapp-Svrcek present at this time.

Representative Ream moved that Senate amendments to HB 329 be concurred in. Representative Phillips made a substitute motion that Senate amendments to HB 329 be indefinitely postponed. Motion failed. (41-47)

Representative Marks moved that consideration of HB 329 be passed for the day. Motion carried. (49-40)

HB 340 - Representative Thomas moved that Senate amendments to HB 340 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Daily, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Sales, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 67

Noes: Bachini, Brandewie, Bulger, Connelly, Corne', Darko, Driscoll, Hansen, Kadas, Keenan, Koehnke, Menahan, Miles, Peck, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Switzer.

Total 21

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Hoffman.

Total 1

HB 344 - Representative Asay moved that Senate amendments to HB 344 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Nathe, Poulsen, Raney.

Total 3

HB 356 - Representative Harrington moved that Senate amendments to HB 356 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: Meyers.

Total 1

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Poulsen.

Total 1

HB 364 - Representative Bradley moved that Senate amendments to HB 364 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Lory, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 79

Noes: Driscoll, Ellison, Koehnke, McCormick, Meyers, Peterson, Pistoria, Stang, Stratford.

Total 9

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Grinde.

Total 1

HB 381 - Representative Grady moved that Senate amendments to HB 381 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Brandewie, Glaser, Harp, Miller, Peterson.

Total 5

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 387 - Representative Keenan moved that Senate amendments to HB 387 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 80

Noes: Devlin, Ellison, Gilbert, Gould, Hoffman, Peterson, Swift, Switzer, Wallin.

Total 9

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 393 - Representative Lory moved that Senate amendments to HB 393 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: Giacometto.

Total 1

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 400 - Representative Manuel moved that consideration of HB 400 be passed for the day because of technical problems. Motion carried.

HB 406 - Representative Grady moved that Senate amendments to HB 406 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Sales, Schye, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 78

Noes: Brandewie, Giacometto, Glaser, Harp, Keenan, Menahan, Patterson, Rapp-Svrcek, Squires, Stang, Swysgood.

Total 11

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 409 - Representative Miles moved that Senate amendments to HB 409 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 74

Noes: Devlin, Grinde, Jones, Menke, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Ramirez, Sales, Stratford, Switzer, Thomas.

Total 15

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 417 - Representative J. Brown moved that Senate amendments to HB 417 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 82

Noes: Giacometto, Glaser, Meyers, Poulsen, Sales, Switzer, Swysgood.

Total 7

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 426 - In Representative Campbell's absence, Representative Swysgood moved that Senate amendments to HB 426 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Ream, Russell, Smith, Spaeth, Squires, Stratford, Strizich, Swysgood, Thoft, Vincent, Wallin, Williams, Mr. Speaker.

Total 67

Noes: Bardanouve, Bulger, Cobb, DeMars, Devlin, Giacometto, Grinde, Menahan, Meyers, Peck, Peterson, Poff, Poulsen, Raney, Rapp-Svrcek, Sales, Schye, Stang, Swift, Switzer, Thomas, Whalen.

Total 22

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 437 - Representative Swysgood moved that Senate amendments to HB 437 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould,

Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 86

Noes: Giacometto, Raney.

Total 2

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Daily.

Total 1

HB 442 - Representative Mercer moved that Senate amendments to HB 442 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 76

Noes: Bardanouve, Cohen, Daily, Fritz, Kadas, Keenan, Miles, Poulsen, Raney, Rapp-Svrcek, Stang, Whalen.

Total 12

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Lory.

Total 1

HB 459 - Representative Keenan moved that Senate amendments to HB 459 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: Meyers.

Total 1

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Ramirez.

Total 1

HB 462 - Representative Miles moved that Senate amendments to HB 462 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 86

Noes: Sales.

Total 1

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Ellison, Jenkins.

Total 2

HB 470 - Representative Miles moved that Senate amendments to HB 470 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: O'Connell, Strizich.

Total 2

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 478 - Representative Thomas moved that Senate amendments to HB 478 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Bachini, Cohen, Glaser, Swysgood.

Total 4

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Ellison.

Total 1

HB 486 - Representative Koehnke moved that Senate amendments to HB 486 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: Jenkins, Quilici.

Total 2

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: None.

Total 0

HB 495 - Representative Corne' moved that Senate amendments to HB 495 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang,

Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 87

Noes: Cobb.

Total 1

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Miller.

Total 1

HJR 16 - Representative Peck moved that Senate amendments to HJR 16 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Glaser.

Total 1

HJR 37 - Representative Glaser moved that Senate amendments to HJR 37 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 82

Noes: Driscoll, Giacometto, Gilbert, Gould, Sales, Whalen.

Total 6

Excused: Campbell, Donaldson, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon, Winslow.

Total 11

Absent or not voting: Strizich.

Total 1

Representative Eudaily moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (79-8)

MOTIONS

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 241. Motion carried.

The Speaker appointed Representatives Cobb, Lory and Spaeth to the conference committee on Senate amendments to HB 241.

Representative Eudaily moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 325. Motion carried.

The Speaker appointed Representatives Mercer, Nelson, and Cody to the free conference committee on HB 325.

Representative Eudaily moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 442. Motion carried.

The Speaker appointed Representatives Mercer, Eudaily, and Addy to the free conference committee on Senate amendments to HB 442.

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 459. Motion carried.

The Speaker appointed Representatives Phillips, Roth, and Keenan to the conference committee on Senate amendments to HB 459.

Representative Thoft moved that HB 911 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. This is the bill consolidating the state law library with the state library, and needs to be looked at by that committee. Motion carried.

Representative Thoft moved that HB 910 be taken from the Committee on Taxation and rereferred to the Committee on Appropriations. This is the bill dealing with county welfare. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 434, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Switzer, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 61

Noes: Brandewie, D. Brown, Cobb, Cohen, Ellison, Giacometto, Glaser, Gould, Grinde, Harp, Jones, Kennerly, Menke, Mercer, Meyers, Patterson,

Peck, Peterson, Phillips, Raney, Sales, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas.

Total 28

Paired: Donaldson, Winslow, Ayes; Glaser, Sales, Noes.

Excused: Campbell, Hannah, Harper, Kitselman, Moore, Rehberg, Roth, Sands, Simon.

Total 9

Absent or not voting: Hansen, Pavlovich.

Total 2

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/7/87

Correctly engrossed: HJR 46, HJR 47, HJR 48, HJR 49.

Correctly enrolled: HB 617.

Examined by the sponsor and found to be correct:

HB 617 - Vincent

Signed by the Speaker at 2:45 p.m.: HB 617.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman): 3/6/87

HJR 50, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

4/7/87

SB 3, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "~~DELETE~~"

Insert: "~~REDUCE~~"

2. Title.

Following: line 6

Strike: "~~THE~~"

Following: "~~DEPOSIT~~"

Strike: "REQUIREMENT THAT AT LEAST"

Insert: "~~FROM~~"

Following: "~~PERCENT~~"

Insert: "TO 25 PERCENT THE AMOUNT"

3. Title, line 8.

Strike: "~~BE~~"

4. Page 1, line 16.

Strike: "~~There is a~~"

Insert: "The legislature shall dedicate not less than one-fourth (1/4) of the"

Following: "tax"

Insert: "to a"

5. Page 2, line 4.

Strike: "~~DELETE~~"

Insert: "reduce"

6. Page 2.

Following: line 4

Strike: "the"

Following: "~~deposit~~"

Strike: "REQUIREMENT THAT AT LEAST"

Insert: "from"

Following: "50%"

Insert: "to 25% the amount"

7. Page 2, line 6.

Strike: "BE"

8. Page 2, line 9.

Strike: "DELETE the"

Insert: "reduce from"

Following: "deposit"

Strike: "REQUIREMENT THAT AT LEAST"

Following: "50%"

Insert: "to 25% the amount"

9. Page 2, line 10.

Strike: "BE"

And, as amended, be concurred in. Report adopted.

SB 36, be concurred in. Report adopted.

SB 44, third reading copy, be amended as follows:

4/6/87

1. Title, line 7.

Strike: "APPLICABILITY"

Insert: "EFFECTIVE"

2. Page 3, line 7.

Strike: "Applicability"

Insert: "Effective date"

3. Page 3.

Strike: line 8 in its entirety

Insert: "is effective July 1, 1987"

And, as amended, be concurred in. Report adopted.

SB 64, third reading copy, be amended as follows:

1. Title, line 9.

Strike: "15-6-135,"

2. Page 3.

Following: line 22

Insert: "(7) A proposed research and development firm may, prior to incorporation, submit the information required under subsection (2)(b) to the department for a preliminary determination of whether the proposed firm would qualify for the tax exemption provided for in subsection (1)."

3. Page 14, line 5 through page 16, line 23.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 71, third reading copy, be amended as follows:

4/6/87

1. Title, line 8.

Following: "MCA;"

Insert: "CLARIFYING PROVISIONS OF INITIATIVE NO. 105 APPROVED BY THE ELECTORS OF MONTANA;"

Following: "PROVIDING"

Strike: "A CONTINGENT"

Insert: "AN IMMEDIATE"

2. Title, line 9.

Following: "DATE"

Insert: “, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE”

3. Page 1.

Following: line 9

Insert: “WHEREAS, the electors of Montana approved Initiative No. 105, limiting certain property taxes to 1986 levels unless the Legislature reduces property taxes prior to July 1, 1987, and establishes alternative revenue sources; and

WHEREAS, Initiative No. 105 was not intended by its drafters and proponents to encompass the numerous interconnecting statutory provisions that would require amendment to facilitate implementation of the measure; and

WHEREAS, it is the intent of the Legislature to enact provisions compatible with the will of the electors in limiting certain property taxes to 1986 levels while providing procedures to enable the Department of Revenue and local government units to function smoothly under such limits.”

4. Page 1, line 11 through line 2, page 3.

Following: enacting clause

Strike: remainder of the bill

Insert: “Section 1. Declaration of policy — clarification — extension to all property classes. [Section 1 of Initiative No. 105] is interpreted, clarified, and extended as follows:

(1) In order to avoid constitutional challenges based on discriminatory treatment of taxpayers in tax classes not enumerated in [Initiative No. 105], the limitation to 1986 levels is extended to apply to all classes of property described in Title 15, chapter 6, part 1.

(2) The policy declaration in [subsection (5) of section 1 of Initiative No. 105] that no further property tax increases be imposed is interpreted to mean no further increase may be made in the tax rate applied to property in each class in 1986.

(3) No new class of property may be created solely to circumvent the policy underlying [Initiative No. 105]. If a new class of property is created in order to afford preferential treatment to a category of property, the taxable rate that applies may not exceed the rate at which such property was taxed in 1986.

Section 2. Property tax limited to 1986 levels — clarification — extension to all property classes. [Section 2 of Initiative No. 105] is interpreted and clarified as follows:

(1) The limitation to 1986 levels is extended to apply to all classes of property described in Title 15, chapter 6, part 1.

(2) The limitation on the amount of taxes levied is interpreted to mean that the actual tax liability for an individual property is capped at the dollar amount due in each taxing unit for the 1986 tax year. In tax years thereafter, the property must be taxed in each taxing unit at the 1986 cap or the product of the taxable value and mills levied, whichever is less for each taxing unit.

(3) The limitation on the amount of taxes levied does not mean that no further increase may be made in the total taxable valuation of a taxing unit as a result of:

- (a) annexation of real property and improvements into a taxing unit;
- (b) construction, expansion, or remodeling of improvements;
- (c) transfer of property into a taxing unit;
- (d) subdivision of real property;
- (e) reclassification of property;
- (f) increases in the amount of production or the value of production for property described in 15-6-131 or 15-6-132;
- (g) transfer of property from tax-exempt to taxable status; or
- (h) revaluations caused by:
- (i) cyclical reappraisal; or
- (ii) expansion, addition, replacement, or remodeling of improvements.

(4) The limitation on the amount of taxes levied does not mean that no further increase may be made in the taxable valuation or in the actual tax liability on individual property in each class as a result of:

- (a) construction, expansion, replacement, or remodeling of improvements that adds value to the property;
- (b) transfer of property into a taxing unit;
- (c) reclassification of property;
- (d) increases in the amount of production or the value of production for property described in 15-6-131 or 15-6-132;
- (e) annexation of the individual property into a new taxing unit; or
- (f) conversion of the individual property from tax-exempt to taxable status.

(5) Property in classes four, twelve, and fourteen is valued according to the procedures used in 1986, including the designation of 1982 as the base year, until the reappraisal cycle beginning January 1, 1986, is completed and new valuations are placed on the tax rolls and a new base year designated, if the property is:

- (a) new construction;
- (b) expanded, deleted, replaced, or remodeled improvements;
- (c) annexed property; or
- (d) property converted from tax-exempt to taxable status.

(6) Property described in subsections (5)(a) through (5)(d) that is not class four, class twelve, or class fourteen property is valued according to the procedures used in 1986 but is also subject to the dollar cap in each taxing unit based on 1986 mills levied.

(7) The limitation on the amount of taxes, as clarified in this section, is intended to leave the property appraisal and valuation methodology of the department of revenue intact. Determinations of county classifications, salaries of local government officers, and all

other matters in which total taxable valuation is an integral component are not affected by [Initiative No. 105] except for the use of taxable valuation in fixing tax levies. In fixing tax levies, the taxing units of local government may anticipate the deficiency in revenues resulting from the tax limitations in [Initiative No. 105], while understanding that regardless of the amount of mills levied, a taxpayer's liability may not exceed the dollar amount due in each taxing unit for the 1986 tax year unless the taxing unit's taxable valuation decreases by 5% or more from the previous tax year. If a taxing unit's taxable valuation decreases by 5% or more from the previous tax year, it may levy additional mills to compensate for the decreased taxable valuation, but in no case may the mills levied exceed a number calculated to equal the revenue from property taxes for the 1986 tax year in that taxing unit.

(8) The limitation on the amount of taxes levied does not apply to the following levy or special assessment categories, whether or not they are based on commitments made before or after approval of [Initiative No. 105]:

- (a) rural improvement districts;
- (b) special improvement districts;
- (c) levies pledged for the repayment of bonded indebtedness, including tax increment bonds;
- (d) city street maintenance districts;
- (e) tax increment financing districts;
- (f) satisfaction of judgments against a taxing unit;
- (g) electric company street lighting assessments; and
- (h) revolving funds to support any categories specified in this subsection (8).

Section 3. Codification instruction. Sections 1 and 2 are intended to be codified as an integral part of Title 15, chapter 10, and the provisions of Title 15, chapter 10, apply to sections 1 and 2.

Section 4. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act.

Section 5. Effective date — applicability. (1) This act is effective on passage and approval.

(2) This act applies retroactively, within the meaning of 1-2-109, to taxable years beginning after December 31, 1986.

Section 6. Termination. This act terminates December 31, 1989."

And, as amended, be concurred in. Report adopted.

SB 100 , be concurred in. Report adopted.	4/7/87
SB 177 , be concurred in. Report adopted.	4/6/87
SB 224 , be concurred in. Report adopted.	4/7/87
SB 266 , be concurred in. Report adopted.	4/6/87
SB 325 , be concurred in. Report adopted.	

Committee attached the following statement of intent:

Statement of Intent
SB 325

It is the intent of this legislation to embody into statute the current practice of the department of revenue in determining depreciation, including functional obsolescence and economic obsolescence. This bill is not intended to change the current practice of the department of revenue.

SB 337, third reading copy, be amended as follows:

1. Page 2, line 12.

Strike: "and"

2. Page 2.

Following: line 12

Insert: "(c) is unmarried; and"

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 340, third reading copy, be amended as follows:

4/7/87

1. Title.

Following: "ACT" on line 8

Strike: remainder of lines 8 and 9 in their entirety

Insert: "EXEMPTING FROM PROPERTY TAXATION
PRODUCER-HELD GRAIN IN"

2. Title, line 10.

Following: "STORAGE,"

Strike: "AND ON BEES, POULTRY,"

Following: "LIVESTOCK"

Strike: remainder of line 10 through "LAWS" on line 14

Insert: "LESS THAN 20 MONTHS OF AGE, AND SWINE LESS
THAN 6 MONTHS OF AGE"

3. Title, line 15.

Following: "15-6-136"

Strike: " ,"

Insert: "AND"

Following: "15-6-207,"

Strike: remainder of line 15 through "81-7-118," on line 21

4. Title, line 22.

Strike: "CONTINGENT"

Insert: "DELAYED"

5. Page 2, line 2.

Following: " ,"

Insert: " ."

6. Page 2.

Following: line 10

Insert: "(a) livestock, poultry, bees, and other species of domestic animals and wildlife raised in domestication or a captive environment, except for cats, dogs, and other household pets not raised for profit, and the unprocessed products of such animals and wildlife;

(b) All unprocessed agricultural products on the farm or in storage except:

(i) All perishable fruits and vegetables in farm storage and owned by the producer; and

(ii) all producer-held grain in storage;"

7. Page 2, line 11.

Following: "~~(e)~~"

Insert: "(c)"

8. Page 2, line 14.

Strike: "~~(a)~~"

Insert: "(i)"

9. Page 2, line 16.

Strike: "~~(b)~~"

Insert: "(ii)"

10. Page 2, line 21.

Strike: "~~(c)~~"

Insert: "(iii)"

11. Page 3, line 4.

Strike: "agricultural products"

Insert: ", perishable fruits and vegetables"

12. Page 3.

Following: line 5

Insert: "(b) all producer-held grain in storage;

(c) all nonperishable, unprocessed agricultural products, except live-stock, held in possession of the original producer for less than 7 months following harvest;"

Renumber: subsequent subsections

13. Page 3, line 9.

Following: "(b)"

Insert: "except as provided in subsection (1)(e),"

14. Page 3, line 13.

Following: "~~(a)~~"

Strike: remainder of line 13 through line 15 in its entirety

Insert: "which have not attained the age of 20 months as of the last day of any month is assessed on the average inventory basis or on March 1 if assessed as provided in 15-24-911(1)(a); and"

15. Page 3, lines 18 through 20.

Following: "~~January 1~~"

Strike: remainder of line 18 through "of bees" on line 20

Insert: "swine which have not attained the age of 6 months as of January 1"

16. Page 4, line 4 through page 22, line 14.

Strike: sections 3 through 22 in their entirety

Renumber: subsequent sections

17. Page 22, lines 16 and 17.

Following: "revenue" on line 16

Strike: remainder of line 16 through "board of livestock" on line 17

18. Page 22, lines 21 through 23.

Following: "~~1988~~" on line 21

Strike: remainder of line 21 through "ACT" on line 23

Insert: "January 1, 1988"

And, as amended, be concurred in. Report adopted.

SB 389, third reading copy, be amended as follows:

1. Title, line 9.

Strike: "AN"

Insert: "A DELAYED"

2. Page 2, line 10.

Strike: "\$60"

Insert: "\$144"

3. Page 2, line 21.

Strike: "July 1, 1987"

Insert: "January 1, 1988"

4. Page 2, line 23.

Strike: "June 30, 1987"

Insert: "December 31, 1987"

And, as amended, be concurred in. Report adopted.

Adverse Committee Reports

SB 297, as amended, be not concurred in.

4/6/87

SB 377, be not concurred in.

4/7/87

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Eudaily moved that the House adjourn until 10:00 a.m., April 8, 1987.

Motion carried.

House adjourned at 4:05 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 8, 1987

House Chambers
State Capitol

House convened at 10:07 a.m., Mr. Speaker in the Chair. Invocation by Representative Cody. Pledge of Allegiance to the Flag.

Roll call. All members present except Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, and the Committee on Appropriations, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-sixth and seventy-seventh legislative days, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

TAXATION (Ramirez, Chairman):

4/6/87

Adverse Committee Reports

SB 297, as amended, be not concurred in. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

Ayes: Bachini, Brandewie, J. Brown, Cody, Cohen, Compton, Corne', Darko, DeMars, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Swysgood, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 62

Noes: Addy, D. Brown, Cobb, Driscoll, Mercer, Strizich, Whalen.

Total 7

Excused: Bardanouve, Bradley, Campbell, Connelly, Daily, Devlin, Donaldson, Glaser, Grady, Hannah, Iverson, Manuel, Menahan, Menke, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 26

Absent or not voting: Asay, Bulger, Harper, Holliday, Schye.

Total 5

SB 377, be not concurred in. Chairman Ramirez moved to adopt the committee report. Motion carried as follows:

4/7/87

Ayes: Addy, Bachini, J. Brown, Cody, Compton, Darko, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Gould, Hanson, Hayne, Hoffman, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Meyers, Miles, Nisbet, Patterson, Phillips, Pistoria, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Simon, Stratford, Swysgood, Whalen, Williams, Mr. Speaker.

Total 42

Noes: Brandewie, D. Brown, Cobb, Cohen, Corne', DeMars, Eudaily, Hansen, Harp, Harrington, Lory, Mercer, Nelson, O'Connell, Peterson,

Poff, Rapp-Svrcek, Sands, Squires, Stang, Strizich, Thomas, Vincent, Wallin.

Total 24

Excused: Asay, Bardanouve, Bradley, Campbell, Connelly, Daily, Devlin, Donaldson, Glaser, Grady, Hannah, Iverson, Manuel, Menahan, Menke, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 27

Absent or not voting: Bulger, Grinde, Harper, Jones, Raney, Schye, Smith.

Total 7

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 274
Report No. 1, April 7, 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 274 met and considered:

Senate Bill No. 274, reference copy.

We recommend as follows:

That Senate Bill No. 274, reference copy, be amended as follows:

1. Page 1, line 20.

Following: "include"

Insert: ": (a)"

2. Page 1, line 21.

Following: "EXCEED"

Strike: "800"

Insert: "400"

3. Page 1, line 22.

Following: "FIRM"

Insert: ","

Following: "AND"

Insert: "(b)"

4. Page 2, line 3.

Following: "(2)"

Insert: "(b)"

And that this Conference Committee report be adopted.

For the Senate:

Hammond, Chairman

Galt

Mazurek

For the House:

Sales

Wallin

Bulger

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman

President of the Senate

State Capitol

Helena, Montana 59620

April 7, 1987

The Honorable Robert Marks

Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 279, "AN ACT PROVIDING FOR SECURITY OF DATA AND INFORMATION TECHNOLOGY RESOURCES; ESTABLISHING THE RESPONSIBILITIES OF STATE AGENCIES, THE BOARD OF REGENTS, THE SUPREME COURT, AND THE DEPARTMENT OF ADMINISTRATION; AND AMENDING SECTION 2-15-102, MCA," without my signature and recommend the attached amendments for the following reasons:

Section 2 of Senate Bill No. 279 assigns responsibility to every department director for assuring the security of state data resources. Unfortunately, Section 6(1) of Senate Bill No. 279 provides that section 2 be codified as part of Title 2, chapter 15, part 10, which describes the organization of the Department of Administration. My first, second and fifth amendments provide for the more appropriate codification of this section with Title 2, chapter 15, part 1, which relates to executive branch agencies in general.

Section 6(2) also directs that section 3, which outlines the Department of Administration's role in securing the State's data resources, be codified as part of the Department's general organizational statutes. However, Title 2, chapter 17, part 5 already gives the Department responsibilities relating to the operation and development of data processing by the state. The new functions should therefore be codified with the related existing ones. My third and fourth amendments will accomplish this codification.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 279

1. Page 8, line 1.

Following: line 1

Insert: "(1) Section 2 is intended to be codified as an integral part of Title 2, chapter 15, part 1, and the provisions of Title 2, chapter 15, part 1 apply to section 2."

Renumber: subsequent subsections

2. Page 8, line 2.

Following: "(1)"

Strike: "Sections 2 and"

Insert: "Section"

Following: "3"

Strike: "are"

Insert: "is"

3. Page 8, line 3.

Following: "chapter"

Strike: "15"

Insert: "17"

Following: "15, part"

Strike: "10"

Insert: "5"

4. Page 8, line 4.

Following: "chapter"

Strike: "15"

Insert: "17"

Following: "part"

Strike: "10"

Insert: "5"

5. Page 8, line 5.

Following: line 4

Strike: "sections 2 and"

Insert: "section"

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 8, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 146, 200, 259, 353, 367, 428, 480, 488, 571, 674, 725, 777, 803, and 818 on April 7, 1987.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 8, 1987

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 455, "AN ACT ESTABLISHING THE RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES; PROVIDING THAT A RESIDENT MUST BE INFORMED OF HIS RIGHTS; REQUIRING THAT THESE RIGHTS BE POSTED IN LONG-TERM CARE FACILITIES; AND REQUIRING THAT FACILITY STAFF BE TRAINED TO IMPLEMENT THESE RIGHTS" without my signature and recommend the attached amendment for the following reasons.

Section 4 of House Bill No. 455 sets forth the rights of nursing home residents. Sections 5 and 6 impose on the nursing home a duty to post those rights and to involve certain residents' authorized representatives in decisions regarding those residents.

Unfortunately, section 7, the enforcement provision of House Bill No. 455, references only sections 5 and 6. My amendment includes the resident rights provision, section 4, within the enforcement provisions of the bill.

I urge your concurrence in this amendment.

Governor's Proposed Amendment
to HB 455

1. Page 7, line 15.
Following: "sections"
Insert: "4,"

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/7/87

HB 7, introduced by Thoft
HB 795, introduced by Gilbert
HB 851, introduced by Harp
HB 868, introduced by Swysgood
HB 876, introduced by Ramirez

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/7/87

HB 157, introduced by Mercer
HB 621, introduced by Quilici
HB 709, introduced by D. Brown
HB 813, introduced by Cohen

Governor's amendments to Senate bill concurred in and returned to the House for concurrence in Governor's amendments: 4/7/87

SB 118, introduced by Halligan

MOTIONS

Representative Eudaily moved that the rules be suspended to allow HB 2 to be heard on third reading today, as the bill has not been correctly engrossed. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 889 - Representative Marks moved that HB 889 be placed below HB 554 on the second reading board because of the absence of the sponsor, Representative Winslow. Motion carried.

HB 397 - Representative Marks moved that Governor's amendment to HB 397 be placed below HB 554 on the second reading board because of the absence of Representative Spaeth. Motion carried.

HB 39 - Representative Marks moved that Senate amendments to HB 39 be placed at the bottom of the second reading board because the sponsor is in the Appropriations Committee. Motion carried.

HB 286 - Representative Marks moved that Senate amendments to HB 286 be placed at the bottom of the second reading board because the sponsor is in the Appropriations Committee. Motion carried.

HB 400 - Representative Marks moved that Senate amendments to HB 400 be placed at the bottom of the second reading board because the sponsor is in the Appropriations Committee. Motion carried.

HB 503 - Representative Marks moved that Senate amendments to HB 503 be placed at the bottom of the second reading board because the sponsor is in the Appropriations Committee. Motion carried.

HB 210 - Representative Swysgood moved that the conference committee report on HB 210 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Mercer, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 72

Noes: None.

Total 0

Excused: Bardanouve, Bradley, Campbell, Connelly, Daily, Devlin, Donaldson, Glaser, Grady, Hannah, Iverson, Manuel, Menahan, Menke, Miller, Moore, Nathe, Pavlovich, Peck, Poulsen, Quilici, Rehberg, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 27

Absent or not voting: Harper.

Total 1

HB 329 - Representative Ream moved that Senate amendments to HB 329 be concurred in. Representative Marks made a substitute motion that Senate amendments to HB 329 be placed at the bottom of the second reading board because of the absence of many members. Motion carried.

The Committee on Appropriations returning at this time.

HB 501 - Representative Cody moved that Senate amendments to HB 501 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Cody, Cohen, Corne', Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Mercer, Meyers, Miles, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Squires, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 62

Noes: D. Brown, Bulger, Cobb, Giacometto, Grinde, Kennerly, Peck, Sales, Schye, Stang, Swysgood.

Total 11

Excused: Bardanouve, Bradley, Campbell, Connelly, Daily, Devlin, Donaldson, Glaser, Grady, Hannah, Iverson, Manuel, Menahan, Menke, Miller, Moore, Nathe, Pavlovich, Poulsen, Quilici, Spaeth, Swift, Switzer, Thoft, Winslow.

Total 25

Absent or not voting: Compton, Smith.

Total 2

HB 504 - Representative Kadas moved that Senate amendments to HB 504 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Pistoria, Poff, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 76

Noes: D. Brown, Meyers, Patterson, Phillips, Rapp-Svrcek, Sales, Stang, Swysgood.

Total 8

Excused: Bradley, Campbell, Connelly, Daily, Donaldson, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Poulsen, Quilici, Spaeth, Winslow.

Total 16

Absent or not voting: None.

Total 0

HB 506 - Representative S. Hansen moved that Senate amendments to HB 506 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Mr. Speaker.

Total 73

Noes: Bulger, Cobb, Cohen, Gilbert, Hansen, Jones, Meyers, Patterson, Poulsen, Raney, Rapp-Svrcek, Roth, Thomas, Whalen.

Total 14

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Quilici, Spaeth, Winslow.

Total 13

Absent or not voting: None.

Total 0

HB 509 - Representative Schye moved that Senate amendments to HB 509 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 82

Noes: Cohen, Devlin, Jones, Kadas.

Total 4

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Quilici, Spaeth, Winslow.

Total 13

Absent or not voting: Cobb.

Total 1

HB 530 - Representative Ellison moved that Senate amendments to HB 530 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Quilici, Spaeth, Winslow.

Total 13

Absent or not voting: Connelly.

Total 1

HB 534 - Representative Simon moved that Senate amendments to HB 534 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles,

Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 81

Noes: Cobb, Meyers, Nisbet, Peck, Raney.
Total 5

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Quilici, Spaeth, Winslow.
Total 13

Absent or not voting: Stratford.
Total 1

HB 554 - Representative D. Brown moved that HB 554 be placed at the bottom of the second reading board because Representative Daily is absent. Motion carried.

HB 889 - Representative Simon moved that HB 889 be placed at the bottom of the second reading board because Representative Winslow is still excused. Motion carried.

HB 397 - Representative Giacometto moved that Governor's amendments to HB 397 be placed at the bottom of the second reading board because Representative Spaeth is still excused. Motion carried.

HB 564 - Representative Williams moved that Senate amendments to HB 564 be placed below HB 606 on the second reading board. Motion carried.

HB 567 - Representative Ramirez moved that Senate amendments to HB 567 be not concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.
Total 71

Noes: Addy, D. Brown, Cohen, DeMars, Driscoll, Hansen, Harper, Kadas, Keenan, Miles, Nisbet, Peck, Squires, Strizich.
Total 14

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Quilici, Spaeth, Winslow.
Total 13

Absent or not voting: Pistoria, Williams.
Total 2

HB 570 - Representative Brandewie moved that Senate amendments to HB 570 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson,

Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Kadas, Keenan, Kennerly, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 69

Noes: Bachini, Cobb, Hansen, Jones, Keller, Koehnke, McCormick, Nelson, Nisbet, Peck, Poulsen, Sands, Squires.

Total 13

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Quilici, Spaeth, Winslow.

Total 13

Absent or not voting: Connelly, Kitselman, Pistoria, Ream, Williams.

Total 5

Representative Pistoria excused at this time.

HB 577 - Representative D. Brown moved that Senate amendments to HB 577 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Mr. Speaker.

Total 84

Noes: Sales.

Total 1

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Pistoria, Quilici, Spaeth, Winslow.

Total 14

Absent or not voting: Williams.

Total 1

HB 583 - Representative Donaldson moved that consideration of Senate amendments to HB 583 be passed for the day because Representative Quilici is not present. Motion carried.

HB 586 - Representative Gould moved that Senate amendments to HB 586 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell,

Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen.

Total 81

Noes: Hansen, Sales.

Total 2

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Pistoria, Quilici, Spaeth, Winslow.

Total 14

Absent or not voting: Harp, Williams, Mr. Speaker.

Total 3

HB 592 - Representative Harp moved that Senate amendments to HB 592 be concurred in. Representative Ramirez made a substitute motion that consideration of Senate amendments to HB 592 be passed for the day because he intended to ask that it be moved to the Rules Committee. Motion carried. (48-34)

HB 606 - Representative Brandewie moved that Senate amendments to HB 606 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen.

Total 77

Noes: Cobb, Hansen, Jenkins, Meyers, Sands.

Total 5

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Pistoria, Quilici, Spaeth, Winslow.

Total 14

Absent or not voting: Harper, Thoft, Williams, Mr. Speaker.

Total 4

HB 564 - Representative Williams moved that Senate amendments to HB 564 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 85

Noes: None.

Total 0

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Miller, Moore, Pavlovich, Pistoria, Quilici, Spaeth, Winslow.

Total 14

Absent or not voting: Harper.

Total 1

Representative Miller present at this time.

HB 610 - Representative D. Brown moved that Senate amendments to HB 610 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hansen, Harp, Harrington, Hayne, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 79

Noes: Asay, Cobb, Hanson, Hoffman, Koehnke, Sales.

Total 6

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Moore, Pavlovich, Pistoria, Quilici, Spaeth, Winslow.

Total 13

Absent or not voting: Fritz, Harper.

Total 2

Representative Winslow present at this time.

HB 611 - Representative D. Brown moved that Senate amendments to HB 611 be concurred in. Motion failed. (43-51)

Representative Eudaily moved that Senate amendments to HB 611 be not concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, Cobb, Compton, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Mr. Speaker.

Total 51

Noes: Addy, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gould, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Nisbet, O'Connell, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Strizich, Thomas, Vincent, Wallin, Whalen, Williams.

Total 43

Paired: Giacometto, Glaser, Grady, Hannah, Hoffman, Ramirez, Rehberg, Ayes; Bradley, Daily, Hansen, Keenan, Menahan, Pavlovich, Quilici, Noes.

Excused: Campbell, Iverson, Moore, Pistoria, Spaeth.

Total 5

Absent or not voting: Winslow.

Total 1

HB 612 - Representative Roth moved that Senate amendments to HB 612 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: Giacometto, Hansen.

Total 2

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Moore, Pavlovich, Pistoria, Quilici, Spaeth.

Total 12

Absent or not voting: Ramirez, Winslow.

Total 2

HB 622 - Representative Brandewie moved that Senate amendments to HB 622 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cohen, Driscoll, Squires.

Total 3

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Moore, Pavlovich, Pistoria, Quilici, Spaeth.

Total 12

Absent or not voting: D. Brown.

Total 1

HB 626 - Representative Fritz moved that Senate amendments to HB 626 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould,

Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Cobb.

Total 1

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Moore, Pavlovich, Pistoria, Quilici, Spaeth.

Total 12

Absent or not voting: Simon.

Total 1

HB 639 - Representative Corne' moved that Senate amendments to HB 639 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peck, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Cobb, Devlin, Ellison, Giacometto, Grinde, Hanson, Hoffman, Jenkins, Patterson, Peterson, Phillips, Sales, Switzer, Swysgood, Thomas.

Total 15

Excused: Bradley, Campbell, Daily, Glaser, Grady, Hannah, Iverson, Moore, Pavlovich, Pistoria, Quilici, Spaeth.

Total 12

Absent or not voting: Menahan.

Total 1

Representatives Bradley and Iverson present at this time.

HB 641 - Representative Menahan moved that Senate amendments to HB 641 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Meyers, Sales, Thomas.

Total 3

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici, Spaeth.

Total 10

Absent or not voting: DeMars.

Total 1

Representative Eudaily moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (80-7)

MOTIONS

Representative Eudaily moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 567. Motion carried.

The Speaker appointed Representatives Ramirez, Hannah, and Spaeth to the free conference committee on HB 567.

Representative Eudaily moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 586. Motion carried.

The Speaker appointed Representatives Gould, Grinde, and Pavlovich to the free conference committee on HB 586.

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 611. Motion carried.

The Speaker appointed Representatives Nathe, Thoft, and D. Brown to the conference committee on Senate amendments to HB 611.

Representative Spaeth present at this time.

Representative Eudaily moved that the Speaker be authorized to appoint a free conference committee on SB 286, the stream access bill. Representative D. Brown made a substitute motion that the House not accede to the request of the Senate, and that the Speaker not be authorized to appoint a free conference committee. Motion carried. (57-35)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 471, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Ellison, Fritz, Koehnke, Meyers, Nathe, Sales, Wallin, Whalen.

Total 8

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HJR 46 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Cody, Fritz, Grinde, Switzer.

Total 4

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Menahan.

Total 1

HJR 47 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow.

Total 79

Noes: DeMars, Devlin, Giacometto, Harrington, Menke, Stang, Stratford, Swift, Switzer, Williams, Mr. Speaker.

Total 11

Paired: Pistoria, Aye; Giacometto, No.

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Quilici.

Total 8

Absent or not voting: Hansen, Manuel.

Total 2

HJR 48 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Ellison, Switzer.

Total 2

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HJR 49 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.

Total 76

Noes: Asay, Cody, Devlin, Ellison, Giacometto, Hanson, Hoffman, Menke, Meyers, Sales, Stratford, Switzer, Wallin, Mr. Speaker.

Total 14

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Peterson.

Total 1

SB 335 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Meyers.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Switzer.

Total 1

HB 5, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Asay, Cobb, Giacometto, Grinde, Peterson, Raney, Switzer.

Total 7

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 6, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Cobb, Cody, Giacometto, Grinde, Hanson, Harp, Keller, Meyers, Switzer.

Total 9

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Ellison.

Total 1

HB 73, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cody, Switzer.

Total 2

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 78, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cobb, Gould, McCormick, Mercer, Meyers, Peterson.

Total 6

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Harp.

Total 1

HB 102, Senate amendments, failed to be concurred in as follows:

Ayes: Bardanouve, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Corne', Daily, DeMars, Donaldson, Eudaily, Giacometto, Grady, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, Pavlovich, Poulsen, Raney, Schye, Spaeth, Strizich, Swysgood, Thomas, Vincent, Mr. Speaker.

Total 44

Noes: Addy, Asay, Bachini, Bradley, Cohen, Connelly, Darko, Devlin, Driscoll, Ellison, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Jones, Kadas, Keller, Kitselman, Menke, Nathe, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Ream,

Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Thoft, Wallin, Whalen, Williams, Winslow.
Total 51

Paired: Daily, Grady, Mercer, Pavlovich, Thomas, Ayes; Glaser, Hannah, Ramirez, Stang, Whalen, Noes.

Excused: Campbell, Moore, Pistoria, Quilici.
Total 4

Absent or not voting: Brandewie.
Total 1

HB 152, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Switzer.
Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.
Total 9

Absent or not voting: None.
Total 0

HB 166, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.
Total 9

Absent or not voting: None.
Total 0

HB 167, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Kadas, Nisbet, Raney.

Total 3

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 170, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Switzer.

Total 1

HB 171, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Driscoll.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Compton, Smith.

Total 2

HB 179, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Cobb, Giacometto, Koehnke, Peck, Stang.

Total 5

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Ellison.

Total 1

HB 207, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 211, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars,

Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Fritz, Peck.

Total 3

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 219, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Peck.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 283, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 284, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Meyers, Nathe.

Total 2

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Harp.

Total 1

HB 300, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Jones, Koehnke, Meyers, Peck, Peterson, Sales.

Total 6

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Poulsen.

Total 1

HB 302, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Darko, Devlin, Donaldson, Driscoll, Ellison,

Eudaily, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Bachini, D. Brown, Cobb, Connelly, DeMars, Fritz, Harrington, Jenkins, Koehnke, McCormick, Peck, Raney, Schye, Stang, Thomas.

Total 15

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Harp, Ream, Russell, Sands.

Total 4

HB 309, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Compton.

Total 1

HB 322, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: D. Brown, Devlin, Gilbert, Gould, Harp, Jenkins, Jones, Peck, Phillips, Poff, Smith, Swysgood.

Total 12

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 340, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bachini, Brandewie, Connelly, Corne', Kadas, Koehnke, Meyers, Squires.

Total 8

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Ellison, Phillips.

Total 2

HB 344, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: McCormick.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Fritz, Ream.

Total 2

HB 356, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko,

DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Giacometto, Meyers.

Total 2

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Ellison, Harp, Hoffman.

Total 3

HB 364, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Driscoll, Hansen, Jenkins, Koehnke, Raney, Stang.

Total 6

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Lory, Menke, Meyers.

Total 3

HB 381, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Miller, Russell, Whalen.

Total 3

Paired: Grady, Aye; Whalen, No.

Excused: Campbell, Daily, Glaser, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 8

Absent or not voting: None.

Total 0

HB 387, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Asay, Devlin, Gilbert, Grinde, Hoffman, Swift, Switzer.

Total 7

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Whalen.

Total 1

HB 393, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Giacometto.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Hansen.

Total 1

HB 406, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bardanouve, Brandewie, Ellison, Giacometto, Koehnke, Meyers, Patterson, Peck, Rapp-Svrcek, Stang, Swysgood.

Total 11

Paired: Grady, Aye; Ellison, No.

Excused: Campbell, Daily, Glaser, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 8

Absent or not voting: None.

Total 0

HB 409, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Peterson, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Devlin, Jones, Menke, Mercer, Meyers, Patterson, Peck, Phillips, Ramirez, Sales, Switzer.

Total 11

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 417, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Cobb, Giacometto, Harp, Hoffman, Meyers, Poulsen, Sales, Swysgood.

Total 8

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 426, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: DeMars, Devlin, Poff, Stang, Switzer.

Total 5

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 437, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Giacometto, Peck.

Total 2

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 462, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Sales.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 470, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Peck, Strizich.

Total 2

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 478, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Driscoll, Fritz, Kadas, Miles, Peck.

Total 5

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 486, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Schye.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 495, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Meyers.

Total 2

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: Strizich.

Total 1

HJR 16, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars,

Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Cobb.

Total 1

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HJR 37, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Cody, Driscoll, Giacometto, Gilbert, Gould, Mercer.

Total 6

Excused: Campbell, Daily, Glaser, Grady, Hannah, Moore, Pavlovich, Pistoria, Quilici.

Total 9

Absent or not voting: None.

Total 0

HB 2 passed as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Hayne, Holliday, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Stang, Swysgood, Vincent, Wallin, Williams, Winslow.

Total 53

Noes: Asay, Bachini, D. Brown, Cobb, Cohen, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Hoffman, Iverson, Jenkins, Jones, Kitselman, Koehnke, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Squires, Stratford, Swift, Switzer, Thoft, Thomas, Whalen, Mr. Speaker.

Total 46

Paired: Campbell, Daily, Grady, Harrington, Keenan, Menahan, Moore, Pavlovich, Quilici, Ayes; Asay, Giacometto, Glaser, Hannah, Menke, Pistoria, Ramirez, Rehberg, Thomas, Noes.

Excused: None.

Total 0

Absent or not voting: Strizich.

Total 1

MOTIONS

Representative Eudaily moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 12:15 p.m.

House reconvened at 2:15 p.m.

Mr. Speaker in the Chair.

Representatives Donaldson and Grinde excused at this time.

Representative Pistoria present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 642 - Representative Spaeth moved that Senate amendments to HB 642 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Nathe.

Total 1

Excused: Campbell, Daily, Donaldson, Glaser, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 10

Absent or not voting: Asay, Bardanouve, D. Brown, Peterson.

Total 4

Representative Glaser present at this time.

HB 648 - Representative Holliday moved that Senate amendments to HB 648 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Cobb, Cohen, Hansen, Harper, Kadas, Nelson.

Total 6

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 9

Absent or not voting: Asay, D. Brown.

Total 2

HB 661 - Representative Spaeth moved that Senate amendments to HB 661 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 9

Absent or not voting: D. Brown, Glaser.

Total 2

HB 670 - Representative Bachini moved that Senate amendments to HB 670 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen,

Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cobb, Jones, Kadas, Meyers, Nathe, Patterson.

Total 6

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 9

Absent or not voting: D. Brown.

Total 1

HB 679 - Representative Keenan moved that Senate amendments to HB 679 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Meyers, Sales.

Total 2

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 9

Absent or not voting: D. Brown.

Total 1

HB 697 - Representative Connelly moved that Senate amendments to HB 697 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 9

Absent or not voting: D. Brown.

Total 1

HB 718 - Representative Harper moved that Senate amendments to HB 718 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: None.

Total 0

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 9

Absent or not voting: D. Brown, Hoffman, O'Connell, Ream, Mr. Speaker.

Total 5

HB 721 - Representative Thomas moved that Senate amendments to HB 721 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Patterson, Sales, Switzer.

Total 3

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore, Pavlovich, Quilici.

Total 9

Absent or not voting: Fritz, O'Connell.

Total 2

Representatives Quilici and Pavlovich present at this time.

HB 733 - Representative Quilici moved that Senate amendments to HB 733 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko,

DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Menke.

Total 1

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore.

Total 7

Absent or not voting: Fritz, O'Connell, Pavlovich, Poulsen.

Total 4

HB 740 - Representative Cobb moved that Senate amendments to HB 740 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore.

Total 7

Absent or not voting: Fritz, Harp, O'Connell.

Total 3

Representative Iverson in the Chair.

HB 741 - Representative Harp moved that Senate amendments to HB 741 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Koehnke, Meyers, Swysgood.

Total 3

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore.

Total 7

Absent or not voting: Fritz, O'Connell.

Total 2

HB 748 - Representative Ramirez moved that Senate amendments to HB 748 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Whalen.

Total 1

Excused: Campbell, Daily, Donaldson, Grady, Grinde, Hannah, Moore.

Total 7

Absent or not voting: Fritz.

Total 1

Representative Daily present at this time.

HB 750 - Representative Gilbert moved that Senate amendments to HB 750 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Peck.

Total 1

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Daily, Fritz, O'Connell.

Total 3

Representative Gilbert in the Chair.

HB 751 - Representative Winslow moved that Senate amendments to HB 751 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cohen.

Total 1

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Fritz.

Total 1

HB 771 - Representative Glaser moved that Senate amendments to HB 771 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Kadas.

Total 1

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: None.

Total 0

HB 772 - Representative Brandewie moved that Senate amendments to HB 772 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell,

Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: None.

Total 0

HB 789 - Representative Harper moved that Senate amendments to HB 789 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: McCormick.

Total 1

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Bulger, Hansen, Pavlovich, Stang.

Total 4

HB 791 - Representative Strizich moved that Senate amendments to HB 791 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Sales.

Total 2

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Miller.

Total 1

HB 796 - Representative Driscoll moved that Senate amendments to HB 796 be not concurred in. Representative Stang made a substitute motion that Senate amendments to HB 796 be indefinitely postponed. Motion failed. (28-65)

Senate amendments to HB 796 be not concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, McCormick, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Russell, Sales, Sands, Schye, Spaeth, Squires, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 71

Noes: Connelly, Devlin, Fritz, Hanson, Holliday, Jones, Kennerly, Lory, Manuel, Meyers, Nelson, Patterson, Peterson, Ream, Roth, Simon, Smith, Stang, Stratford, Switzer, Swysgood, Winslow.

Total 22

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Asay.

Total 1

HB 806 - Representative Pavlovich moved that Senate amendments to HB 806 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Asay, Harper, Nelson.

Total 3

HB 817 - Representative Glaser moved that the statement of intent to HB 817 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Asay, O'Connell.

Total 2

HB 831 - Representative Holliday moved that Senate amendments to HB 831 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Connelly.

Total 1

HB 839 - Representative Sands moved that Senate amendments to HB 839 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Connelly, Pavlovich.

Total 2

HB 39 - Representative Eudaily moved that consideration of Senate amendments to HB 39 be passed for the day because Representative Donaldson is absent. Motion carried.

HB 286 - Representative Spaeth moved that consideration of Senate amendments to HB 286 be passed for the day because Representative Hannah is absent. Motion carried.

HB 400 - Representative Manuel moved that Senate amendments to HB 400 be concurred in. Motion carried as follows:

Ayes: Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Daily, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menke, Mercer, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow.

Total 61

Noes: Addy, Asay, Bardanouve, Cohen, Corne', Darko, DeMars, Hansen, Harper, Hoffman, Jones, Kadas, Lory, Menahan, Meyers, Miles, Nisbet, Peck, Poulsen, Ramirez, Raney, Rapp-Svrcek, Russell, Spaeth, Squires, Stang, Strizich, Vincent, Whalen.

Total 29

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: D. Brown, Connelly, Schye, Mr. Speaker.

Total 4

HB 503 - Representative Bradley moved that Senate amendments to HB 503 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 87

Noes: Hayne, Ramirez, Whalen.

Total 3

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Connelly, Menke, Thoft, Mr. Speaker.

Total 4

HB 329 - Representative Ream moved that Senate amendments to HB 329 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gilbert, Gould, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Strizich, Vincent, Whalen, Williams, Mr. Speaker.

Total 57

Noes: Asay, Brandewie, Cobb, DeMars, Devlin, Ellison, Giacometto, Glaser, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Menke, Meyers, Miller, Nathe, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow.

Total 37

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: None.

Total 0

HB 554 - Representative Daily moved that Senate amendments to HB 554 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: Eudaily.

Total 1

HB 889 - Representative Winslow moved that HB 889, third reading copy, be amended as follows:

1. Title, lines 7 and 8.

Following: "COUNCIL;"

Strike: remainder of line 7 through "COUNCIL;" on line 8

2. Page 1, line 21.

Strike: "agriculture"

Insert: "commerce"

3. Page 8, line 18 through line 20, page 9.

Strike: sections 14 through 16 in their entirety

Renumber: subsequent section

4. Page 12.

Following: line 15

Insert: "NEW SECTION. Section 15. Coordination instruction. If House Bill No. 862 fails to be passed and approved, this act is void."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Bardanouve, Hansen, Jones, Menahan, Poulsen, Raney, Sales.

Total 7

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: D. Brown, Cody, Smith.

Total 3

Representative Winslow moved that HB 889, as amended, do pass.

Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bardanouve, Cohen, Hansen, Menahan, Nelson, Peck, Poulsen, Raney, Sales.

Total 9

Paired: Grinde, Aye, Menahan, No.

Excused: Campbell, Donaldson, Grady, Hannah, Moore.

Total 5

Absent or not voting: D. Brown.

Total 1

HB 397 - Representative Spaeth moved that the Governor's amendments to HB 397 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bardanouve, Bradley, Connelly, Harper, Miller, Nisbet, Peck, Raney, Russell, Schye, Thoft.

Total 11

Excused: Campbell, Donaldson, Grady, Grinde, Hannah, Moore.

Total 6

Absent or not voting: D. Brown, Fritz.

Total 2

Representative Eudaily moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (84-8)

MOTIONS

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 697. Motion carried.

The Speaker appointed Representatives Sales, Wallin, and Connelly to the conference committee on Senate amendments to HB 697.

Representative Eudaily moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 721. Motion carried.

The Speaker appointed Representatives Thomas, Peterson, and Vincent to the free conference committee on HB 721.

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 796. Motion carried.

The Speaker appointed Representatives Gould, Mercer, and Driscoll to the conference committee on Senate amendments to HB 796.

Representative Eudaily moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 102. Motion carried.

The Speaker appointed Representatives Grady, Swysgood, and Holliday to the conference committee on Senate amendments to HB 102.

Representative Winslow moved that the conference committee on HB 752 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate. Motion carried.

The Speaker appointed the same conferees, Representatives Gilbert, Winslow, and Bulger to the free conference committee on HB 752.

UNFINISHED BUSINESS

The Speaker announced the change in membership of the free conference committee on Senate amendments to HB 567. He appointed Representatives Ramirez, Hannah, and Miles. Representative Spaeth has resigned.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/8/87

Correctly engrossed: HB 2, SB 335.

Correctly enrolled: HB 29, HB 161, HB 372, HB 434, HB 700, HB 852, HJR 42.

Examined by the sponsor and found to be correct:

HB 29 - Bardanouve

HB 161 - Meyers

HB 372 - Miller

HB 434 - Thoft

HB 700 - Bradley

HB 852 - Nathe

HJR 42 - Vincent

Signed by the Speaker at 3:00 p.m.: HB 29, HB 161, HB 372, HB 434, HB 700, HB 852, HJR 42.

Delivered to the Governor for his approval at 9:13 a.m.: HB 617.

JUDICIARY (Lory, Chairman):

4/8/87

SB 48, third reading copy, be amended as follows:

1. Page 1, line 15.

Strike: "7"

Insert: "5"

2. Page 2, line 7.

Following: "CLAIMANT."

Insert: "The total dollar amount of the ordered periodic payments must equal the total dollar amount of the future damages they represent without a reduction to present value."

3. Page 2, line 13.

Following: "CLAIMANT."

Insert: "The court shall make separate findings specifying the amount of:

(a) any past damages; and

(b) future damages:

(i) the period or periods over which they will accrue, on an annual basis; and

(ii) the dollar amount of future damages both before and after a reduction to present value."

4. Page 2, line 23.

Strike: "the establishment of a trust fund or"

5. Page 2, line 24.

Following: "annuity"

Insert: "approved by the court. The annuity must be in the form of an inflation-indexed annuity contract purchased from a qualified insurer that, in the most recent edition of A. M. Best, has an "A"

(excellent) or higher rating and is in a class 7 or higher classification. The annuity also serves as any required supersedeas bond. Upon purchase of a court-approved annuity, the court may order that the judgment is satisfied and that the judgment debtor is discharged. If the judgment creditor dies before all periodic payments have been made, the remaining payments become the property of his estate"

6. Page 2.

Strike: page 2, line 25 through line 13, page 3 in their entirety

Renumber: subsequent sections

7. Page 3, line 25.

Following: "finds that the"

Insert: "insurer that sold the annuity to the"

8. Page 4, lines 2 and 3.

Strike: "judgment debtor" on each line

Insert: "insurer" on each line

9. Page 4, line 9.

Strike: "7"

Insert: "5"

10. Page 4, line 12.

Following: "SUPPORT;"

Insert: "or"

11. Page 4, line 15.

Strike: "; OR"

Insert: ";"

12. Page 4.

Strike: page 4, line 16 through line 13, page 5 in their entirety

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 190, third reading copy, be amended as follows:

1. Title, line 4.

Strike: "MORTGAGOR"

Insert: "BORROWER"

2. Title, line 5.

Strike: "MORTGAGED"

Insert: "CERTAIN ENCUMBERED"

3. Page 1.

Strike: lines 11 through 18 in their entirety

Insert: "certain judgments — separate acknowledgment required. (1)

If a borrower borrowing money from a bank as defined in 32-1-102, a building and loan association as defined in 32-2-101, or a credit union as defined in 32-3-102, encumbers real property that otherwise would qualify as a homestead under Title 70, chapter 32, the financial institution shall require the borrower to sign a written statement acknowledging that the real property is not exempt from execution as a homestead because under 70-32-202 it is subject to execution or forced sale to satisfy a judgment obtained on a debt secured by a mortgage or other encumbrance on the premises. The written acknowledgement may be in a document separate from, or may be included in, the loan agreement or loan documents and must be printed in capital letters of not less than 10-point boldfaced type and signed separately by the borrower."

4. Page 1, line 19.

Strike: "mortgagee"

Insert: "financial institution"

Strike: "document"

Insert: "acknowledgement"

5. Page 1, line 20.

Following: "mortgage"

Insert: "or other encumbrance"

6. Page 1, line 21.

Following: "discharged"

Insert: "unless the acknowledgement is of record in the office of the clerk and recorder"

7. Page 1, lines 22 through 25.

Strike: section 2 of the bill in its entirety

Renumber: subsequent section

8. Page 2, line 2.

Following: "mortgages"

Insert: "and other encumbrances"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wallin, Chairman):

4/8/87

SJR 14, third reading copy, be amended as follows:

1. Page 3.

Following: line 3

Insert: "(ii) Butte,"

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

4/7/87

SB 272, third reading copy, be amended as follows:

1. Page 2, line 16.

Strike: "shall"

Insert: "may not"

2. Page 2, line 17.

Following: "railroad"

Strike: "property, both real and personal"

Insert: "right-of-way or track"

3. Page 2, lines 18 through 23.

Following: "part 1," on line 18

Strike: remainder of line 18 through "tax" on line 23

Insert: "as long as the state retains ownership and the right-of-way and track is used exclusively for rail transportation"

And, as amended, be concurred in. Report adopted.

SB 383, third reading copy, be amended as follows:

1. Page 43, line 9.

Following: "taxable"

Strike: "years"

Insert: "quarters"

Following: "after"

Strike: "January 1"

Insert: "April 1"

And, as amended, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Eudaily moved that the House adjourn until 10:00 a.m., April 9, 1987.

Motion carried.

House adjourned at 3:43 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 9, 1987

House Chambers
State Capitol

House convened at 10:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Sands. Pledge of Allegiance to the Flag.

Roll call. All members present except Fritz, Harp, Quilici, Rehberg, and the Business and Labor Committee, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-eighth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/8/87

HB 20, introduced by M. Hanson

HB 373, introduced by Darko

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/8/87

HB 460, introduced by Keenan

HB 526, introduced by Schye

HB 896, introduced by Mercer

Conference committee report adopted: 4/8/87

HB 471, free conference committee report

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Bulger in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 3 - Representative Sands moved that SB 3 be placed below SB 325 on the second reading board because of the absence of many members. Motion carried.

SB 36 - Representative Hoffman moved that SB 36 be placed below HB 592 on the second reading board because of the absence of many members. Motion carried.

Representative Miller excused at this time.

The Business and Labor Committee returning at this time.

SB 44 - Representative Gilbert moved that SB 44 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah,

Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Roth, Sales, Sands, Schye, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 62

Noes: Bachini, Bardanouve, Bradley, Bulger, Cobb, Connelly, Corne', Darko, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Menahan, Mercer, Meyers, Miles, Moore, Nisbet, Pavlovich, Peck, Pistoria, Raney, Rapp-Svrcek, Ream, Russell, Spaeth, Squires, Strizich, Vincent, Whalen.

Total 33

Excused: Fritz, Harp, Miller, Quilici, Rehberg.

Total 5

Absent or not voting: None.

Total 0

Representative Quilici present at this time.

SB 64 - Representative Ream moved that SB 64 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hansen, Whalen.

Total 2

Excused: Fritz, Harp, Miller, Rehberg.

Total 4

Absent or not voting: Connelly.

Total 1

Representatives Miller and Fritz present at this time.

Representative Addy excused at this time.

SB 71 - Representative Kadas moved that SB 71 be concurred in.
Motion carried as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Raney, Rapp-Svrcek, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bardanouve, Daily, Harrington, Hoffman, Keenan, Menahan, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Ream, Whalen.

Total 15

Excused: Addy, Harp, Rehberg.

Total 3

Absent or not voting: D. Brown.

Total 1

Representative Hannah excused at this time.

SB 100 - Representative Gilbert moved that SB 100, third reading copy, be amended. Amendment failed. (42-52)

Representative Gilbert moved that SB 100 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Bardanouve, Bradley, Cobb, Hoffman, Kadas, Menke, Swift, Thoft, Thomas, Wallin.

Total 10

Excused: Addy, Hannah, Harp, Rehberg.

Total 4

Absent or not voting: Grinde, O'Connell, Pavlovich, Poulsen.

Total 4

Representatives Schye, Ramirez, Poulsen, Mercer, and Giacometto excused at this time.

Representatives Rehberg and Hannah present at this time.

SB 177 - Representative Sands moved that SB 177 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nelson, Nisbet, Pavlovich, Peck, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Mr. Speaker.

Total 63

Noes: Asay, Bachini, Campbell, Cobb, Devlin, Donaldson, Ellison, Giacometto, Glaser, Gould, Grinde, Hoffman, Holliday, Jenkins, Jones,

Keller, Menke, Meyers, Nathe, Patterson, Peterson, Phillips, Sales, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.

Total 31

Paired: Eudaily, Ramirez, Schye, Ayes; Ellison, Giacometto, Holliday, Noes.

Excused: Addy, Harp, Mercer, Poulsen.

Total 4

Absent or not voting: O'Connell, Winslow.

Total 2

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Bulger moved the adoption of the committee report. Report adopted. (84-4)

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 12:03 p.m.

House reconvened at 2:20 p.m.

Mr. Speaker in the Chair.

Representatives Grady, Rehberg, and Rapp-Svrcek excused at this time.

Representatives Addy and Schye present at this time.

COMMUNICATIONS AND PETITIONS

Speaker Marks appointed the following members to a Select Committee on Welfare to be coordinated with appointees from the Senate:

Representative Winslow

Representative Gilbert

Representative Bradley

Representative Bulger

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 9, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 47, 385, 457, 465, 482, 590, 598, 614, 617, 619, 647, 690, 708, 720, 730, 737, 760, and 819 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol

April 9, 1987

Helena, Montana 59620

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 222, 453, 512, 523, 607, 794, and 825 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 9, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill No. 519, "AN ACT REVISING THE LAWS RELATING TO DISCRIMINATION IN INSURANCE AND RETIREMENT PLANS; LIMITING THE PROHIBITION AGAINST DISCRIMINATION ON THE BASIS OF SEX OR MARITAL STATUS TO THE ISSUANCE OR AVAILABILITY OF INSURANCE; REPEALING SECTION 49-2-309, MCA; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE."

The evidence is clear and conclusive — statutory implementation of non-gender insurance in 1985 has significantly increased the cost of insurance for many women.

That is not the issue.

The legislature and the governor are bound, not by our perception of what is 'good' or 'bad' economically for women, but by the unequivocal language of Article II, Section 4 of the Montana Constitution:

No person shall be denied the equal protection of the laws. Neither the state nor any person, firm, corporation, or institution shall discriminate against any person in the exercise of his civil or political rights on account of race, color, sex, culture, social origin or condition, or political or religious ideas.

Pursuant to my constitutional obligation, I hereby veto House Bill No. 519.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 9, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 623, "AN ACT GENERALLY REVISING THE LAW GOVERNING STATE LIQUOR STORES; PREVENTING THE CLOSURE, CONVERSION, OR SALE OF LIQUOR STORES OPERATED BY THE DEPARTMENT OF REVENUE UNLESS A STORE IS NOT OPERATING AT A PROFIT OR SUCH CLOSURE HAS BEEN APPROVED BY THE LEGISLATURE; REQUIRING SUFFICIENT WAREHOUSE INVENTORY TO SERVICE LIQUOR STORES; AMENDING SECTION 16-2-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." without my signature and recommend the attached amendments.

For several years the state liquor division has worked hard to reverse the decline in state profits. The June Special Legislative Session adopted a liquor system recovery plan which envisioned a gradual conversion of inefficient state stores to agencies run as private businesses. Under that program, state revenues would increase and the public would be better served. House Bill No. 623 as passed imposes a roadblock to conversion of less efficient stores.

The bill allows closure or conversion of state stores to agencies if the store is returning less than a 10% profit or the legislature approves a closure. My proposed amendment allows, within these conditions, the conversion of state stores to private agencies in communities over 3,000, based on competitive bid. This amendment will help the liquor system maintain current profits, which helps support the state general fund budget.

Ultimately, the legislature must let us run the state liquor enterprise in a cost-effective manner or get the state out of the business entirely. I urge your concurrence in these amendments.

Governor's Proposed Amendments
to HB 623

1. Title, line 8.

Following: "STORES;"

Strike: "PREVENTING"

Insert: "SPECIFYING THE CONDITIONS FOR"

2. Title, lines 10 and 11.

Following: "REVENUE" on line 10

Strike: remainder of line 10 through "LEGISLATURE" on line 11

3. Page 3, lines 7 and 8.

Strike: subsection 4 in its entirety

Insert: "(4) Agency stores must receive commissions based on adjusted gross sales as follows:

(a) a 10% commission for agencies in communities with less than 3,000 in population;

(b) a commission established by competitive bidding for agencies in communities with 3,000 or more in population."

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 9, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 658, "AN ACT TO PROVIDE A FEE IN LIEU OF PROPERTY TAX FOR MOTORBOATS 10 FEET IN LENGTH OR LONGER AND SAILBOATS 12 FEET IN LENGTH OR LONGER; EXEMPTION MOTORBOATS LESS THAN 10 FEET IN LENGTH FROM PROPERTY TAXES; AMENDING SECTIONS 15-6-146, 15-6-201, 15-8-201, 15-8-301, 15-8-404, 23-2-512, AND 23-2-515, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE AN APPLICABILITY DATE."

House Bill No. 658 would amend existing law to provide a fee in lieu of tax for certain motorboats. Another bill that is also on my desk for signature, House Bill No. 457, would enact into law a new section requiring the payment of all taxes on a boat before a decal is issued. Clearly the intent of the Legislature in passing House Bill No. 457 was to require payment of all money, be it taxes or fees in lieu of taxes, before the decal could be issued. My amendment authorizes and directs the code Commissioner to conform the code to the intent of the Legislature.

I urge your concurrence in this amendment.

Governor's Proposed Amendment
to HB 658

1. Page 17.

Following: line 13

Insert: "NEW SECTION. Section 13. Code commissioner instruction.

The code commissioner shall change any reference to taxes on boats contained in new material enacted this session to reflect the fee in lieu of tax on boats contained in this bill."

Renumber: subsequent sections

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative Hannah moved that the House stand in recess until 2:45 p.m. for party caucuses. Motion carried.

House recessed at 2:25 p.m.

House reconvened at 3:00 p.m.

Mr. Speaker in the Chair.

Representatives Rehberg, Ramirez, Mercer, and Giacometto present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Bulger in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 224 - Representative Schye moved that SB 224 be concurred in. Representative Driscoll made a substitute motion that SB 224 be not concurred in. Motion failed. (18-80)

SB 224 concurred in as follows:

Ayes: Addy, Asay, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.
Total 86

Noes: Bachini, Bardanouve, Brandewie, Cohen, Daily, Driscoll, Grady, Harp, Peck, Poulsen, Squires, Wallin, Whalen.
Total 13

Paired: Rapp-Svrcek, Ream, Thomas, Ayes; Driscoll, Grady, Harp, Noes.

Excused: None.
Total 0

Absent or not voting: Strizich.
Total 1

SB 266 - Representative Mercer moved that SB 266 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 92

Noes: Bardanouve, Hansen, Peck.
Total 3

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Daily, O'Connell.

Total 2

SB 325 - Representative Ramirez moved that SB 325 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: Cohen.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Corne', Mr. Speaker.

Total 2

SB 3 - Representative Sands moved that SB 3 be concurred in. Motion failed to get necessary two-thirds vote as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Ellison, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 53

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Eudaily, Fritz, Giacometto, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, Peck, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Strizich, Thoft, Vincent, Whalen, Williams.

Total 47

Paired: Grady, Hannah, Harp, Mercer, Quilici, Ramirez, Smith, Thomas, Ayes; Addy, Harper, Harrington, Rapp-Svrcek, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 337 - Representative Harrington moved that SB 337 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Meyers.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Poulsen.

Total 1

SB 340 - Representative Patterson moved that SB 340 be placed below HB 813 on the second reading board for amendment. Motion carried.

SB 389 - Representative Patterson moved that SB 389 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Hansen, Hanson, Harp, Harper, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Poff, Quilici, Ramirez, Raney, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 72

Noes: Bachini, Campbell, Cobb, Cohen, Connelly, Giacometto, Glaser, Grinde, Hannah, Hayne, Jenkins, McCormick, Menke, Phillips, Pistoria, Rehberg, Simon, Swift, Switzer, Swysgood, Thoft.

Total 21

Paired: Harp, Aye; Giacometto, No.

Excused: Grady, Rapp-Svrcek.

Total 2

Absent or not voting: Brandewie, Devlin, Harrington, Poulsen, Ream.

Total 5

HB 39 - Representative Donaldson moved that Senate amendments to HB 39 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Meyers, Miles, Miller, Moore, Nisbet,

O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Squires, Stang, Strizich, Switzer, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bardanouve, D. Brown, Cobb, Ellison, Gilbert, Hanson, Hoffman, Jones, Menke, Mercer, Nathe, Nelson, Patterson, Sales, Smith, Spaeth, Stratford, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 22

Paired: Grady, Rapp-Svrcek, Ayes; Mercer, Thomas, Noes.

Excused: Harp.

Total 1

Absent or not voting: Harper.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Bulger moved the adoption of the committee report. Report adopted. (88-7)

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill No. 163
Report No. 1, April 9, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 163 met and considered:

Senate Judiciary Committee amendments to the third reading copy, dated March 13, 1987.

We recommend as follows:

That House Bill No. 163, reference copy, be amended as follows:

1. Page 2, line 8.

Strike: "APPRECIABLY"

And that this Conference Committee report be adopted.

For the Senate:

Halligan, Chairman
B. Brown
Yellowtail

For the House:

Mercer
Giacometto
D. Brown

Conference Committee
on House Bill No. 277
Report No. 1, April 9, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 277 met and considered:

Senate Judiciary Committee amendments to the third reading copy, dated March 17, 1987.

We recommend as follows:

That House Bill No. 277, reference copy, be amended as follows:

1. Page 3, line 2.
Strike: “61-5-206,”

And that this Conference Committee report be adopted.

For the Senate:

Pinsonneault, Chairman
Beck
Halligan

For the House:

Sales
Eudaily
Connelly

Free Conference Committee
on House Bill No. 837
Report No. 1, April 9, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 837 met and considered:

Senate amendments to House Bill No. 837, reference copy.

We recommend as follows:

That House Bill No. 837, reference copy, be amended as follows:

1. Page 1, lines 19 and 20.

Strike: “AND THE COUNTY OF RESIDENCE”

2. Page 1, line 22.

Following: “address”

Insert: “and the county of residence”

3. Page 12, line 22.

Following: “deposit in”

Strike: “the GENERAL FUND”

Insert: “a state special revenue fund in the state treasury”

4. Page 12, line 23.

Following: “collects”

Insert: “, and the fee money may be paid out of the treasury only on appropriation made by the legislature as provided in 17-8-101. Any fee money collected under this part and remaining in the state treasury after all current fiscal year expenditures are met must be transferred to the general fund”

5. Page 16, line 4.

Following: “1987.”

Insert: “The secretary of state shall distribute portions of the master list to registered buyers at least once each month. He may distribute portions of the master list more frequently if he determines it is necessary to improve the flow of agricultural credit.”

And that this Free Conference Committee report be adopted.

For the Senate:

Thayer, Chairman
Beck
Jergeson

For the House:

Jenkins
M. Hanson
Holliday

REPORTS OF STANDING COMMITTEES

Correctly engrossed: HB 889.

Correctly enrolled: HB 5, HB 7, HB 219, HB 283, HB 356, HB 381, HB 437.

Examined by the sponsor and found to be correct:

HB 5 - Thoft

HB 7 - Thoft

HB 219 - Holliday

HB 283 - Darko

HB 356 - Harrington

HB 437 - Swysgood

Delivered to the Governor for his approval at 11:37 a.m.: HB 29, HB 161, HB 372, HB 434, HB 700, HB 852.

APPROPRIATIONS (Donaldson, Chairman):

4/9/87

HB 910, introduced bill, be amended as follows:

1. Title, line 9.

Following: "ASSISTANCE;"

Insert: "DELAYING STATE ASSUMPTION OF WELFARE SERVICES FOR ADDITIONAL COUNTIES; REQUIRING A COUNTY TO PAY THE COUNTY SHARE OF THE COSTS OF GENERAL RELIEF MEDICAL ASSISTANCE PROVIDED TO ITS RESIDENTS BY ANOTHER COUNTY;"

2. Title, line 10.

Following: "SECTIONS"

Strike: "53-2-812,"

Insert: "53-2-811 THROUGH"

3. Page 1.

Following: line 13

Insert: "Section 1. Section 53-2-811, MCA, is amended to read:

"53-2-811. Transfer of county public assistance and protective services to state department. (1) All authority granted to the board of county commissioners to establish and operate a public assistance program and provide protective services for children and adults pursuant to Titles 41 and 53 may be transferred to the department, except that the county attorney shall continue to provide legal assistance and representation for the purposes of adult and child protective services without charge and all debts and obligations incurred prior to the effective date of state assumption continue as the responsibility of the county.

(2) The board of county commissioners, after public hearing, may by resolution or ordinance transfer to the department all powers and duties for public assistance and protective services for children and adults, including the selection, supervision, and termination of staff personnel associated with the performance of these activities. Upon the effective date of such transfer, the department shall assume all powers and duties related to public assistance and protective services and accorded by law to the county welfare department. If the notice required in subsection (3) is given, the transfer is effective at the start of the next state fiscal year.

(3) Counties opting for state assumption shall notify the department at least 90 days prior to the start of the state fiscal year unless the time period is waived in whole or in part by the director of the department.

(4) Counties opting for state assumption shall permit the department to use the same facilities currently occupied by the county

department or substantially equal facilities, with fair rental value for such facilities to be paid by the department. Counties opting for state assumption shall transfer to the department all materials, equipment, and supplies used in the operation of the county department and which were paid for in whole or in part with federal or state funds.

(5) No county may transfer county public assistance and protective services to the department during the biennium ending June 30, 1989. If a resolution or ordinance to transfer services under this part is adopted in April, May, or June 1987 or during the biennium ending June 30, 1989, the transfer is effective July 1, 1989, or within 90 days thereafter if the notice provided in subsection (3) requires it."

Renumber: subsequent sections

4. Page 3, line 19.

Following: "county"

Strike: "or the department"

5. Page 6.

Following: line 21

Insert: "(10) If general relief medical assistance is provided by a county with state-assumed welfare services to a person who has lived in that county less than 1 year, the county in which he most recently lived for at least 2 months, and not the county that provided the assistance, shall reimburse the department for one-half the costs of general relief medical assistance."

And, as amended, do pass. Report adopted.

Adverse Committee Reports

HB 911, do not pass.

BUSINESS AND LABOR (Kitselman, Chairman):

4/9/87

HJR 52, introduced bill, be amended as follows:

1. Title.

Following: line 8

Insert: "REQUESTING THE DEPARTMENT OF ADMINISTRATION TO REIMBURSE THE LEGISLATIVE COUNCIL FOR THE COSTS OF THE INTERIM STUDY AND TO ACCEPT VOLUNTARY CONTRIBUTIONS FROM PRIVATE PRINTERS;"

2. Page 1, lines 12 and 13.

Following: "state" on line 12

Strike: "and local governments"

Insert: "government"

3. Page 2, lines 3 and 4.

Following: "agencies" on line 3

Strike: "and political subdivisions"

4. Page 4, lines 9 and 10.

Following: "state" on line 9

Strike: "and local governments"

Insert: "government"

5. Page 4.

Following: line 16

Insert: "BE IT FURTHER RESOLVED, that the Department of Administration reimburse the Legislative Council for all costs of the

interim committee, including compensation and expenses under 5-2-302, necessary supplies and materials, postage, printing of reports, and other normal and customary costs of an interim study.

BE IT FURTHER RESOLVED, that private printers be encouraged to voluntarily assist the Department of Administration in the reimbursement of the costs of the interim study and that the Department of Administration may accept voluntary contributions from private printers for the purpose of reimbursement of costs of the interim study."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Gould, Chairman):

4/9/87

HJR 53, introduced bill, be amended as follows:

1. Page 1.

Following: line 19

Insert: "WHEREAS, House Bill No. 637 refers a constitutional amendment to the people that, on their approval, would allow the Legislature to determine welfare and human service benefits, but for the 51st Legislature to make those determinations, it is necessary that priorities be examined and information on welfare be available before the 1989 Session begins; and"

2. Page 1, line 22.

Following: "538,"

Insert: "House Bill No. 2,"

And, as amended, do pass. Report adopted.

SJR 8, be concurred in. Report adopted.

TAXATION (Ramirez, Chairman):

4/9/87

SB 22, third reading copy, be amended as follows:

1. Page 4, line 15.

Following: "its"

Strike: "funds"

Insert: "capital base"

2. Page 4, lines 16 and 17.

Following: "if" on line 16

Strike: remainder of line 16 through "to" on line 17

Insert: "there is a substantial likelihood that such investment will"

3. Page 7, line 25.

Strike: "certified"

Insert: "qualified"

4. Page 8, line 7.

Strike: "certified"

Insert: "qualified"

5. Page 8, line 14.

Strike: "certified"

Insert: "qualified"

And, as amended, be concurred in. Report adopted.

SB 74, third reading copy, be amended as follows:

1. Page 2, line 15.

Following: "benefits"

Insert: “, not in excess of \$3,600,”

Following: “received”

Insert: “: (i)”

2. Page 2, line 16.

Following: “Act”

Strike: “or”

Insert: “;”

(ii) under”

3. Page 2, line 17.

Following: “Montana”

Strike: “not in excess of \$3,600”

Following: “,”

Insert: “or”

4. Page 2.

Strike: line 18 in its entirety through “received” on line 19

Insert: “(iii)”

Renumber: subsequent subsections

5. Page 6.

Following: line 6

Insert: “(8) A person receiving benefits described in subsections (2)(d) through (2)(f) may not exclude benefits described in subsection (2)(c) from adjusted gross income unless the benefits received under subsections (2)(d) through (2)(f) are less than \$3,600, in which case the person may combine benefits to exclude up to a total of \$3,600 from adjusted gross income.”

6. Page 8, line 15.

Following: “benefits”

Insert: “, not in excess of \$3,600,”

Following: “received”

Insert: “: (i)”

7. Page 8, line 16.

Following: “retirement”

Strike: “or”

Insert: “;”

(ii) as”

Following: “retirement”

Strike: “as a public employee of”

Insert: “from public employment in”

8. Page 8, line 17.

Following: “Montana”

Strike: “not in excess of \$3,600”

Following: “,”

Insert: “or”

(iii) as an annuity, pension, or endowment under private or corporate retirement plans or systems;”

9. Page 9, lines 8 through 11.

Following: “19-9-1005” on line 8

Strike: remainder of line 8 through “systems” on line 11

10. Page 10.

Following: line 12

Insert: "(6) A trust or estate excluding benefits under subsections (2)(i) through (2)(k) may not exclude benefits described in subsection (2)(h) from net income unless the benefits received under subsections (2)(i) through (2)(k) are less than \$3,600, in which case the trust or estate may combine benefits to exclude up to a total of \$3,600 from net income."

And, as amended, be concurred in. Report adopted.

SB 162, be concurred in. Report adopted.

SB 228, third reading copy, be amended as follows:

1. Title.

Following: line 11

Insert: "AN"

Following: "APPLICABILITY"

Strike: "DATES"

Insert: "DATE"

Following: "AND"

Strike: "AN IMMEDIATE"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

2. Page 1, line 16.

Following: "taxes."

Insert: "Severance taxes collected under this chapter must be allocated according to the provisions in effect on the date the tax is due under 15-35-104."

3. Page 2, line 14.

Strike: "3.3%"

Insert: "4%"

4. Page 4, line 15.

Following: "~~1988~~"

Strike: "1990"

Insert: "1989"

5. Page 15, line 2.

Following: "~~the~~"

Strike: "The"

Insert: "Beginning July 1, 1989, the"

6. Page 16, lines 13 through 16.

Following: "Applicability." on line 13

Strike: subsection (1) in its entirety

7. Page 16.

Following: line 16

Strike: "(2)"

8. Page 16, lines 19 through 21.

Following: "date." on line 19

Strike: remainder of line 19 through "LATER" on line 21

Insert: "(1) Sections 2, 8, 14, and this section are effective on passage and approval.

(2) All other sections are effective July 1, 1987"

And, as amended, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 54, introduced by Bradley, Donaldson, Vincent, Miller. Referred to Committee on Education and Cultural Resources.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 329, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gilbert, Gould, Hannah, Hansen, Harper, Harrington, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Vincent, Whalen, Williams, Winslow.

Total 58

Noes: Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, DeMars, Devlin, Donaldson, Ellison, Giacometto, Glaser, Grinde, Hanson, Hayne, Hoffman, Holliday, Jenkins, Jones, Keller, Menke, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Sales, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 40

Paired: Rapp-Svrcek, Aye, Stang, No.

Excused: Grady, Harp.

Total 2

Absent or not voting: None.

Total 0

HB 400, Senate amendments, concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Addy, Bardanouve, Cohen, Corne', Hansen, Harper, Jones, Kadas, Lory, Nathe, Nisbet, Raney, Squires, Stang, Whalen.

Total 15

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Grinde, Meyers, Russell, Strizich.

Total 4

HB 501, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Bulger, Campbell, Giacometto, Glaser, Sales, Stang, Swysgood.

Total 7

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 503, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Hannah, Hayne, Whalen.

Total 3

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Strizich.

Total 1

HB 504, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bardanouve, D. Brown, Campbell, Giacometto, Hannah, Patterson, Poulsen, Sales, Stang, Swysgood.

Total 10

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Bachini, Ellison.

Total 2

HB 506, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Ream, Rehberg, Russell, Sales, Sands, Schye, Simon, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 76

Noes: Bulger, Cohen, Gilbert, Hannah, Harper, Holliday, Jones, Kadas, Koehnke, Meyers, Nathe, Patterson, Poulsen, Quilici, Raney, Roth, Smith, Spaeth, Switzer, Whalen, Mr. Speaker.

Total 21

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 509, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Kadas.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Ellison, Hansen.

Total 2

HB 530, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Bardanouve, Bulger, Cobb, Daily, Gilbert, Hannah, Nathe, Peck.
Total 8

Excused: Grady, Harp, Rapp-Svrcek.
Total 3

Absent or not voting: Nelson.
Total 1

HB 534, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 80

Noes: Bardanouve, Bradley, Bulger, Cohen, Darko, Fritz, Hansen, Kadas, Meyers, Nisbet, Peck, Poulsen, Raney, Russell, Schye, Strizich, Whalen.
Total 17

Excused: Grady, Harp, Rapp-Svrcek.
Total 3

Absent or not voting: None.
Total 0

HB 554, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 96

Noes: Meyers.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 564, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Bardanouve, Kitselman.

Total 2

HB 570, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Bachini, Bardanouve, Cobb, Hannah, Hansen, Hayne, Jones, Koehnke, McCormick, Nisbet, Peck, Poulsen, Sands.

Total 13

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Campbell, Strizich.

Total 2

HB 577, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz,

Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Sales, Switzer.

Total 2

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Hoffman.

Total 1

HB 606, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Cobb, Fritz, Jenkins, Sands.

Total 4

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Asay, Compton, Ellison, Peterson, Poulsen.

Total 5

HB 610, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Driscoll, Fritz, Grinde, Hanson, Koehnke, Meyers, Sales, Thomas.

Total 8

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Compton.

Total 1

HB 612, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: DeMars, Giacometto, Hansen, Rehberg.

Total 4

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 622, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: Hannah, Squires, Mr. Speaker.

Total 3

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 626, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Hoffman, Peck, Poulsen.

Total 4

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Ellison.

Total 1

HB 639, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Campbell, Giacometto, Glaser, Grinde, Hanson, Koehnke, Peterson, Sales, Swift, Switzer, Swysgood, Thomas.

Total 12

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Jenkins.

Total 1

HB 641, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Hansen, Meyers, Nathe, Peck, Sales.

Total 5

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Donaldson, Hoffman, Thomas.

Total 3

HB 642, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Nathe.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 648, Senate amendments, concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Addy, Bardanouve, Cobb, Cohen, Hannah, Hansen, Harper, Nelson, Peck, Sands.

Total 10

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 661, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria,

Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Fritz.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Ellison, Rehberg.

Total 2

HB 670, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 84

Noes: D. Brown, Bulger, Campbell, Cobb, Driscoll, Glaser, Jones, Kadas, Koehnke, Menahan, Meyers, Patterson, Winslow.

Total 13

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 679, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Menke, Sales.

Total 2

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Hannah.

Total 1

HB 718, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Ellison, Stang.

Total 2

HB 733, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Meyers, Peck.

Total 2

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Jenkins.

Total 1

HB 740, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth,

Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Thoft.

Total 1

HB 741, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Hannah, Koehnke, Meyers, Swysgood, Thomas.

Total 6

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 748, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Driscoll, Kadas, Peck, Squires, Whalen.

Total 5

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Hoffman.

Total 1

HB 750, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 751, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cohen, Meyers.

Total 2

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 771, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Giacometto, Hannah.

Total 2

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 772, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Hansen.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 789, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Grinde, McCormick, Peck.

Total 3

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 791, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Menke.

Total 2

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Hansen.

Total 1

HB 806, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Hoffman, Quilici.

Total 2

HB 817, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hannah, Thomas.

Total 2

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Devlin, Harrington, Kadas.

Total 3

HB 831, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Asay, Campbell, Giacometto, Meyers, Nathe, Schye.

Total 6

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Ellison.

Total 1

HB 839, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

HB 397, Governor's amendments, concurred in as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Addy, Bardanouve, D. Brown, Cohen, DeMars, Fritz, Hansen, Harper, Meyers, Nisbet, Raney, Ream, Russell, Schye, Squires, Strizich, Thoft.

Total 17

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: Gould.

Total 1

HB 210, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Hannah.

Total 1

Excused: Grady, Harp, Rapp-Svrcek.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Swift moved that he be allowed to cast a yes vote on HB 772 and HB 806 on third reading this day. Motion carried unanimously, because it was his birthday.

Representative Hannah moved that the conference committee on HB 206 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate on Representative McCormick's draw poker machine bill, HB 206. Motion carried.

The Speaker appointed the same conferees, Representatives McCormick, Swysgood, and Brandewie to the free conference committee on HB 206.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:00 a.m., April 10, 1987.

Motion carried.

House adjourned at 5:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTIETH LEGISLATIVE DAY

Helena, Montana
April 10, 1987

House Chambers
State Capitol

House convened at 10:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Pistoria. Pledge of Allegiance to the Flag.

Roll call. All members present except Brandewie, Bulger, Driscoll, Grinde, Nelson, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swift, Swysgood, Thoft, and Winslow, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the seventy-ninth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

Representative Swift present at this time.

APPROPRIATIONS (Donaldson, Chairman):

4/9/87

Adverse Committee Reports

HB 911, do not pass. Chairman Donaldson moved to adopt the committee report. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Corne', Darko, DeMars, Donaldson, Eudaily, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Moore, Nathe, Nisbet, Peterson, Pistoria, Quilici, Raney, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Vincent, Wallin, Whalen.

Total 60

Noes: Campbell, Cobb, Daily, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Hannah, Hanson, Jenkins, Menke, Patterson, Peck, Poff, Ramirez, Rehberg, Stang, Swift, Switzer, Thomas, Mr. Speaker.

Total 23

Excused: Brandewie, Bulger, Driscoll, Grinde, Nelson, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.

Total 13

Absent or not voting: Connelly, Miller, O'Connell, Williams.

Total 4

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 10, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 535 on April 9, 1987.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/9/87

HB 714, introduced by Connelly

HB 716, introduced by J. Brown

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/9/87

HB 84, introduced by Winslow

HB 275, introduced by Rapp-Svrcek

HB 327, introduced by Bulger

HB 887, introduced by Asay

House amendments to Senate bill concurred in: 4/7/87

SB 51, introduced by Weeding

The Senate, on 4/9/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 459.

The President appointed the following members:

Senator Lynch, Chairman
Senator Kolstad
Senator Farrell

The Senate, on 4/9/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 611.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Jergeson
Senator Hammond

The Senate, on 4/9/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 241.

The President appointed the following members:

Senator Halligan, Chairman
Senator Pinsonneault
Senator Thayer

The Senate, on 4/9/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 796.

The President appointed the following members:

Senator Lynch, Chairman
Senator Crippen
Senator McLane

The Senate, on 4/9/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 442.

The President appointed the following members:

Senator Halligan, Chairman
Senator Crippen
Senator Galt

The Senate, on 4/9/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 325.

The President appointed the following members:

Senator Mazurek, Chairman
Senator Farrell
Senator Hirsch

The Senate, on 4/9/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 567.

The President appointed the following members:

Senator Halligan, Chairman
Senator Mazurek
Senator Bishop

The Senate, on 4/9/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 586.

The President appointed the following members:

Senator Williams, Chairman
Senator Manning
Senator Hager

The Senate, on 4/9/87, dissolved the conference committee on Senate amendments to HB 326 and appointed a free conference committee to meet with a like committee from the House to confer on HB 326.

The President appointed the following members:

Senator Halligan, Chairman
Senator B. Brown
Senator Bishop

The Senate, on 4/9/87, dissolved the conference committee on Senate amendments to HB 752 and appointed a free conference committee to meet with a like committee from the House to confer on HB 752.

The President appointed the following members:

Senator Eck, Chairman
Senator Rasmussen
Senator Hager

The Senate, on 4/9/87, dissolved the conference committee on House amendments to SB 256 and appointed a free conference committee to meet with a like committee from the House to confer on SB 256.

The President appointed the following members:

Senator Pinsoneault, Chairman
 Senator Halligan
 Senator B. Brown

MOTIONS

Representative Bulger present at this time.

Representative Harrington moved that SB 71 be taken from third reading and returned to second reading for amendment. This bill deals with freezing property tax at 1986 levels. After debate, Representative Gould moved the previous question. Motion carried. The Harrington motion carried. (50-40)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Sands in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 157 - Representative Mercer moved that Senate amendments to HB 157 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams.
 Total 83

Noes: Stang, Whalen.
 Total 2

Excused: Brandewie, Driscoll, Grinde, Nelson, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.
 Total 12

Absent or not voting: Hoffman, Manuel, Mr. Speaker.
 Total 3

HB 286 - Representative Spaeth moved that Senate amendments to HB 286 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Mr. Speaker.
 Total 82

Noes: Bulger, Daily, Fritz, Kadas, Miles, Stang, Whalen.

Total 7

Paired: Grinde, Swysgood, Ayes; Fritz, Miles, Noes.

Excused: Brandewie, Driscoll, Nelson, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Thoft, Winslow.

Total 10

Absent or not voting: Manuel.

Total 1

HB 583 - Representative Donaldson moved that Senate amendments to HB 583 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 83

Noes: Campbell, Stang, Whalen.

Total 3

Excused: Brandewie, Driscoll, Grinde, Nelson, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.

Total 12

Absent or not voting: Manuel, Poff.

Total 2

HB 592 - Representative Harp moved that Senate amendments to HB 592 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peterson, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 78

Noes: Campbell, Cobb, Cohen, Ellison, Giacometto, Jenkins, Peck, Thomas.

Total 8

Excused: Brandewie, Driscoll, Grinde, Nelson, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.

Total 12

Absent or not voting: Manuel, Poff.

Total 2

HB 621 - Representative Quilici moved that Senate amendments to HB 621 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 80

Noes: Bachini, Giacometto, Jones, Kadas, Meyers, Nathe, Peck.

Total 7

Excused: Brandewie, Driscoll, Grinde, Nelson, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.

Total 12

Absent or not voting: Koehnke.

Total 1

Representative Nelson present at this time.

HB 709 - Representative D. Brown moved that Senate amendments to HB 709 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 81

Noes: Cobb, Cohen, Nathe, Whalen.

Total 4

Excused: Brandewie, Driscoll, Grinde, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.

Total 11

Absent or not voting: Daily, Koehnke, O'Connell, Smith.

Total 4

HB 532 - Representative Quilici moved that the Governor's amendments to HB 532 be placed at the bottom of the second reading board because Representative Poulsen is absent. Motion carried.

HB 813 - Representative Cohen moved that Senate amendments to HB 813 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Fritz, Gilbert, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Lory,

McCormick, Menahan, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Roth, Russell, Spaeth, Squires, Strizich, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 59

Noes: Asay, Campbell, Cobb, DeMars, Devlin, Ellison, Eudaily, Giacometto, Glaser, Hannah, Hanson, Hayne, Jones, Keller, Koehnke, Manuel, Menke, Mercer, Meyers, Miller, Rehberg, Sales, Sands, Simon, Smith, Stang, Stratford, Swift, Switzer, Wallin.

Total 30

Excused: Brandewie, Driscoll, Grinde, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.

Total 11

Absent or not voting: None.

Total 0

SB 36 - Representative Hoffman moved that SB 36 be concurred in.
Motion failed to get the necessary two-thirds vote as follows:

Ayes: Asay, Bachini, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Donaldson, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Koehnke, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Rehberg, Roth, Russell, Sales, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 56

Noes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kitselman, Lory, Menahan, Miles, Moore, Nisbet, Peck, Quilici, Ramirez, Raney, Ream, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 40

Paired: Cobb, Giacometto, Grinde, Jenkins, Jones, Patterson, Phillips, Poulsen, Switzer, Swysgood, Thoft, Thomas, Ayes; Driscoll, Harrington, Keenan, Quilici, Ream, Schye, Noes.

Excused: Brandewie, Pavlovich, Rapp-Svrcek, Winslow.

Total 4

Absent or not voting: None.

Total 0

SB 340 - Representative Devlin moved that SB 340, third reading copy, be amended as follows:

1. House Taxation Committee amendments, dated 4/7/87, instruction no. 2, line 5.

Following: "through"

Strike: "'LAWS" on line 14

Insert: "'ENVIRONMENT" on line 12

2. House Taxation Committee amendments, dated 4/7/87, instruction no. 3.

Strike: lines 2 through 4

Following: "through" on line 6

Strike: "'81-7-118," on line 21

Insert: "'15-24-302," on line 16

3. House Taxation Committee amendments, dated 4/7/87, instruction no. 16, line 1.
Following: "through"
Strike: "page 22, line 14"
Insert: "page 8, line 17"
Following: "through" on line 2
Strike: "22"
Insert: "6"
4. House Taxation Committee amendments, dated 4/7/87.
Strike: instruction no. 17 in its entirety
5. Title, line 13.
Strike: "AND POULTRY"
6. Title, line 14.
Strike: "AND POULTRY"
7. Title, line 17.
Following: "81-7-103"
Insert: "AND"
8. Title, line 18.
Strike: "81-7-202," through "81-8-804,"
9. Title, line 19.
Following: "SECTIONS"
Strike: "15-24-901" through "15-24-911," on line 20
10. Title, lines 20 and 21.
Following: "15-24-923"
Strike: ","
Insert: "AND"
Strike: "15-24-926," through "81-7-118," on line 21
11. Page 8, line 20.
Strike: "and poultry"
12. Page 8, line 23.
Following: "levied"
Insert: "by the county assessor"
Strike: "and poultry in"
Insert: "(except swine) 9 months of age or older and on all swine 3 months of age or older in each county of"
13. Page 9, line 1.
Strike: "and poultry"
14. Page 9, line 9.
Following: "prescribe the"
Insert: "amount of the"
15. Page 9, line 10.
Strike: "and poultry"
16. Page 9, line 15.
Strike: "less than 100% or"
Following: "the"
Insert: "average annual"
17. Page 9, line 16.
Following: "generated"
Insert: "in the 3 previous years, beginning with revenue generated"

Following: "81-7-104"

Strike: "81-7-118 (now repealed)"

18. Page 9, line 17.

Strike: "1986"

Strike: "year"

Insert: "years 1985, 1986, and 1987"

19. Page 9, lines 19 and 20.

Following: "taxes" on line 19

Strike: remainder of line 19 through "10" on line 20

20. Page 9, lines 23 and 24.

Following: "The"

Strike: remainder of line 23 through "the" on line 24

Insert: "The"

21. Page 10, lines 5 and 6.

Following: "on" on line 5

Strike: remainder of line 5 through "on" on line 6

22. Page 10, line 12 through page 12, line 4.

Strike: sections 10 and 11 in their entirety

Renumber: subsequent sections

23. Page 14, line 3.

Following: "cattle"

Insert: "9 months of age or older"

24. Page 14, lines 11 through 14.

Following: "part." on line 11

Strike: remainder of line 11 through line 14

25. Page 14, line 19.

Following: "cattle"

Insert: "9 months of age or older"

26. Page 15, lines 3 through 6.

Following: "part." on line 3

Strike: remainder of line 3 through line 6

27. Page 15, line 11.

Following: "cattle"

Insert: "9 months of age or older"

28. Page 15, lines 19 through 22.

Following: "part." on line 19

Strike: remainder of line 19 through line 22

29. Page 16, line 19.

Strike: "and poultry"

30. Page 18, line 1 through page 22, line 10.

Strike: sections 18 through 21 in their entirety

Renumber: subsequent sections

31. Page 22, lines 11 and 12.

Following: "Sections"

Strike: remainder of line 11 through "15-24-911," on line 12

Following: "15-24-923"

Strike: ","

Insert: "and"

32. Page 22, lines 13 and 14.

Following: "15-24-924,"

Strike: remainder of line 13 through "81-7-118,"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Williams.

Total 84

Noes: Connelly, Kadas, Whalen.

Total 3

Excused: Brandewie, Driscoll, Grinde, Pavlovich, Phillips, Poulsen, Rapp-Svrcek, Schye, Swysgood, Thoft, Winslow.

Total 11

Absent or not voting: Menahan, Mr. Speaker.

Total 2

Representative Patterson moved that SB 340, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Mr. Speaker.

Total 66

Noes: Bardanouve, Bradley, J. Brown, Bulger, Cohen, Connelly, Darko, Donaldson, Eudaily, Fritz, Hansen, Harp, Harper, Harrington, Kadas, Keenan, Lory, Menahan, Miles, Moore, Nisbet, Peck, Quilici, Ream, Squires, Stang, Vincent, Whalen, Williams.

Total 29

Paired: Brandewie, Grinde, Phillips, Schye, Swysgood, Thoft, Ayes; Harrington, Miles, Peck, Ream, Whalen, Williams, Noes.

Excused: Driscoll, Pavlovich, Poulsen, Rapp-Svrcek, Winslow.

Total 5

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Sands moved the adoption of the committee report. Report adopted. (79-9)

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 583. Motion carried.

The Speaker appointed Representatives Donaldson, Sands, and Quilici to the free conference committee on HB 583.

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 219. Motion carried.

The Speaker appointed Representatives Patterson, Phillips, and DeMars to the conference committee on House amendments to SB 219.

Representative Hannah announced a meeting of the Rules Committee.

Representative Hannah moved that the House stand in recess until 2:15 p.m. Motion carried.

House recessed at 12:15 p.m.

House reconvened at 2:25 p.m.

Mr. Speaker in the Chair.

Representatives Driscoll, Grinde, Rapp-Svrcek, Phillips, Poulsen, Swysgood, Thoft, Pavlovich, and Winslow present at this time.

Representatives Addy and Grady excused at this time.

Representative Hannah moved that the conference committee on House amendments to SB 256 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate. Motion carried.

The Speaker appointed Representatives Mercer, Grady, and Russell to the free conference committee on SB 256.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Sands in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 50 - Representative Keenan moved that HJR 50 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Asay, Campbell, Devlin, Ellison, Giacometto, Gilbert, Hayne, Hoffman, Keller, Menke, Sales.

Total 11

Excused: Addy, Brandewie, Grady, Schye.

Total 4

Absent or not voting: Harper, Poulsen, Rapp-Svrcek, Thoft.

Total 4

Representative Addy present at this time.

SB 48 - Representative Whalen moved that SB 48, third reading copy, be amended. Amendment failed. (31-61)

Representative Addy moved that SB 48 be concurred in. Representative Whalen made a substitute motion that SB 48 be not concurred in. Motion failed. (30-68)

SB 48 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Cohen, Corne', Driscoll, Giacometto, Hansen, Harper, Harrington, Kadas, Keenan, McCormick, Menahan, Miles, Moore, Nisbet, Pavlovich, Pistoria, Quilici, Raney, Russell, Squires, Whalen.

Total 21

Paired: Brandewie, Grady, Ayes; McCormick, Raney, Noes.

Excused: Schye.

Total 1

Absent or not voting: None.

Total 0

Representative Addy excused at this time.

SB 190 - Representative Rapp-Svrcek moved that SB 190, third reading copy, be amended as follows:

1. House Judiciary Committee amendments, dated 4/8/87, instruction no. 3, lines 4 through 6.

Strike: "bank as defined in 32-1-102, a building and loan association as defined in 32-2-101, or a credit union as defined in 32-3-102"

Insert: "regulated lender as defined in 31-1-111, a mutual or stock insurance company regulated by any state, or a farm credit system lender"

Amendment passed as follows:

Ayes: Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto,

Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Addy, Brandewie, Grady, Schye.

Total 4

Absent or not voting: Harp, Kennerly.

Total 2

Representative Addy present at this time.

Representative Rapp-Svrcek moved that SB 190, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Miller, Sales, Swysgood.

Total 3

Excused: Brandewie, Grady, Schye.

Total 3

Absent or not voting: Harp.

Total 1

SB 272 - Representative Raney moved that SB 272 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Sales.

Total 1

Excused: Brandewie, Grady, Schye.

Total 3

Absent or not voting: Bardanouve, Devlin, Harp.

Total 3

SB 383 - Representative Williams moved that SB 383, third reading copy, be amended. Amendment failed. (42-53)

Representative Harrington moved that SB 383, third reading copy, be amended. Amendment failed. (38-55)

Representatives Addy and Cody excused at this time.

Representative Patterson moved that SB 383 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Corne', Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Menahan, Miles, Nisbet, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Strizich, Vincent, Whalen.

Total 27

Paired: Addy, Grady, Menke, Ramirez, Ayes; Cody, Keenan, Rapp-Svrcek, Schye, Noes.

Excused: Brandewie.

Total 1

Absent or not voting: Quilici.

Total 1

Representative Addy present at this time.

SJR 14 - Representative Stang moved that SJR 14, third reading copy, be amended. Amendment failed. (41-50)

Representative Cohen excused at this time.

Representative Ramirez moved that SJR 14, third reading copy, be amended as follows:

1. Title, line 8.

Following: "FEWER"

Insert: "AND A PLAN FOR CONSOLIDATING SERVICES"

2. Title, line 10.

Following: "COUNTIES"

Strike: remainder of line 10 through "COUNTIES" on line 11

Insert: "AND SERVICES TO BE CONSOLIDATED WITHIN DISTRICTS"

3. Page 2, line 3.

Following: "Constitution"

Insert: "; and"

WHEREAS, if the voters reject county consolidation and reorganization, an alternative plan will be needed to reduce the expense of county government by consolidating services"

4. Page 2, line 8.

Following: "assigned to"

Insert: "prepare the following two plans"

5. Page 2, line 9.

Following: "(a)"

Strike: "prepare"

6. Page 2, line 25.

Following: "valuation;"

Insert: "and"

7. Page 3, line 1.

Following: "(b)"

Insert: "a plan for consolidating services within the following districts or within similar districts, each of which comprises at least two adjoining counties:

- (i) District 1: Lewis and Clark, Broadwater, and Jefferson Counties;
- (ii) District 2: Silver Bow, Beaverhead, and Madison Counties;
- (iii) District 3: Deer Lodge, Granite, and Powell Counties;
- (iv) District 4: Missoula, Mineral, and Ravalli Counties;
- (v) District 5: Flathead, Lake, Sanders, and Lincoln Counties;
- (vi) District 6: Toole, Glacier, Teton, and Pondera Counties;
- (vii) District 7: Hill, Liberty, and Blaine Counties;
- (viii) District 8: Cascade and Chouteau Counties;
- (ix) District 9: Fergus, Judith Basin, Wheatland, and Petroleum Counties;
- (x) District 10: Gallatin, Meagher, Park, and Sweet Grass Counties;
- (xi) District 11: Yellowstone, Big Horn, Carbon, Stillwater, Golden Valley, and Musselshell Counties;
- (xii) District 12: Custer, Rosebud, Treasure, Powder River, Fallon, and Carter Counties;
- (xiii) District 13: Dawson, Richland, McCone, Garfield, Prairie, and Wibaux Counties;
- (xiv) District 14: Phillips, Valley, Roosevelt, Sheridan, and Daniels Counties.

(2) That the plan for consolidation of services provide for:

(a) consolidation of the following offices in each district:

(i) Sheriff;

- (ii) Clerk of the District Court;
- (iii) County Attorney;
- (iv) County Superintendent of Schools;
- (v) County Surveyor;
- (vi) County Treasurer;
- (vii) Coroner;
- (viii) Public Administrator;
- (ix) County Clerk and Recorder;
- (x) County Commissioners;
- (b) revision of any judicial districts defined in 3-5-101 that do not fall wholly within a district defined under this section, with appropriate adjustments in the number of judges assigned to each judicial district under 3-5-102; and
- (c) consolidation of the offices of school superintendents for contiguous second- and third-class elementary school districts.
- (3) That the plan for consolidation of services designate one county seat as the central location for each office listed above and provide for a branch office staffed by one or more deputies in each of the other counties in the district.
- (4) That the plan for consolidation of services provide that while a district court may be held in each county within a district, each district is served by only one Clerk of the District Court.
- (5) That the plan for consolidation of services may not propose to:
 - (a) alter county boundaries;
 - (b) relocate a county seat; or
 - (c) consolidate elementary school districts.

BE IT FURTHER RESOLVED, that the subcommittee:

(1)"

Renumber: subsections (i) through (v) as (a) through (e)

8. Page 3, line 7.

Strike: "(c)"

Insert: "(2)"

Renumber: subsections (i) through (vi) as (a) through (f)

9. Page 3, line 15.

Strike: "(2) That the committee"

Insert: "BE IT FURTHER RESOLVED, that the subcommittee"

Following: "its"

Strike: "plan"

Insert: "plans"

Amendment passed as follows:

Ayes: Addy, Bradley, Bulger, Cobb, Compton, Corne', Daily, Darko, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hannah, Harper, Hayne, Kadas, Keller, Kennerly, Kitselman, Menahan, Menke, Miller, Moore, Nelson, Nisbet, Peterson, Phillips, Poulsen, Ramirez, Raney,

Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 52

Noes: Asay, Bachini, D. Brown, Campbell, DeMars, Devlin, Ellison, Glaser, Hansen, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poff, Squires, Stang, Stratford, Switzer, Swysgood, Whalen.

Total 37

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Bardanouve, J. Brown, Connelly, Driscoll, Harp, Quilici.

Total 6

Representative S. Hansen moved that SJR 14, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Bradley, J. Brown, Bulger, Cobb, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Grinde, Hannah, Hansen, Harper, Hayne, Jones, Kadas, Kennerly, Kitselman, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nelson, Nisbet, Peck, Peterson, Phillips, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Strizich, Swift, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 58

Noes: Asay, Bachini, D. Brown, Campbell, Compton, DeMars, Devlin, Ellison, Giacometto, Glaser, Gould, Hanson, Harrington, Hoffman, Holliday, Iverson, Jenkins, Keenan, Koehnke, Lory, McCormick, Meyers, Miles, Nathe, O'Connell, Patterson, Pavlovich, Pistoria, Poff, Stang, Stratford, Switzer, Swysgood, Whalen.

Total 34

Paired: Grady, Aye; Stang, No.

Excused: Brandewie, Cody, Cohen, Schye.

Total 4

Absent or not voting: Bardanouve, Harp, Keller, Quilici.

Total 4

HB 455 - Representative Miles moved that the Governor's amendments to HB 455 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Giacometto, Hannah, Hayne, Ramirez, Rehberg.

Total 6

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Bardanouve, Ellison, Harp, O'Connell.

Total 4

SB 374 - Representative Swysgood moved that the Governor's amendments to SB 374 be concurred in. Representative Jones made a substitute motion that consideration of the Governor's amendments to SB 374 be passed for the day. Motion failed. (21-69)

The Governor's amendments to SB 374 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Cobb, Hannah, Jones, Ramirez, Raney.

Total 5

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Bardanouve, Harp.

Total 2

SB 274 - Representative Sales moved that the conference committee report on SB 274 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Giacometto, Hansen, Pistoria, Spaeth, Whalen.

Total 5

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Bardanouve.

Total 1

SB 71 - Representative Harrington moved that SB 71, third reading copy, be amended. Representative Marks made a substitute motion that consideration of SB 71 be passed for the day. Motion carried.

HB 532 - Representative Poulsen moved that the Governor's amendments to HB 532 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Glaser, Hannah.

Total 2

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Bardanouve, Harp.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Sands moved the adoption of the committee report. Report adopted. (84-7)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 3 failed to get the necessary two-thirds vote as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Daily, Devlin, Donaldson, Ellison, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thomas, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, DeMars, Driscoll, Eudaily, Fritz, Giacometto, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, Peck, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Thoft, Vincent, Whalen, Williams.

Total 48

Paired: Brandewie, Campbell, Glaser, Grady, Hanson, Miller, Ramirez, Rehberg, Sales, Thomas, Ayes; Bulger, Cody, Cohen, Eudaily, Schye, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 44 concurred in as follows:

Ayes: Addy, Asay, Bachini, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Bardanouve, Bradley, Bulger, Connelly, Corne', Daily, Darko, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Menahan, Meyers, Miles, Moore, Pavlovich, Peck, Quilici, Raney, Ream, Squires, Strizich, Vincent, Whalen.

Total 27

Paired: Cohen, Aye; Keenan, No.

Excused: Brandewie, Cody, Grady, Schye.

Total 4

Absent or not voting: None.

Total 0

SB 64 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Ellison, Fritz, Whalen.

Total 3

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Hoffman.

Total 1

HB 39, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth,

Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Williams, Winslow, Mr. Speaker.
Total 78

Noes: Bardanouve, D. Brown, Ellison, Hanson, Hoffman, Nathe, Pavlovich, Poulsen, Raney, Sales, Swift, Swysgood, Thoft, Thomas, Wallin, Whalen.
Total 16

Excused: Brandewie, Cody, Cohen, Grady, Schye.
Total 5

Absent or not voting: Hansen.
Total 1

SB 100 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 81

Noes: Cobb, Devlin, Giacometto, Grinde, Hannah, Harp, Menke, Meyers, Nathe, Smith, Switzer, Thoft, Whalen.
Total 13

Excused: Brandewie, Cody, Cohen, Grady, Schye.
Total 5

Absent or not voting: Nelson.
Total 1

SB 177 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Iverson, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 65

Noes: Campbell, Devlin, Donaldson, Ellison, Giacometto, Glaser, Gould, Harp, Hoffman, Holliday, Jenkins, Jones, Keller, Menke, Meyers, Nathe, Patterson, Peterson, Phillips, Sales, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.
Total 28

Excused: Brandewie, Cody, Cohen, Grady, Schye.
Total 5

Absent or not voting: Hannah, Spaeth.

Total 2

SB 224 concurred in as follows:

Ayes: Addy, Asay, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bachini, Bardanouve, Brandewie, Daily, Driscoll, Harp, Poulsen, Squires, Whalen.

Total 9

Paired: Eudaily, Aye; Brandewie, No.

Excused: Cody, Cohen, Grady, Schye.

Total 4

Absent or not voting: None.

Total 0

SB 266 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bardanouve, Peck.

Total 2

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: None.

Total 0

SB 325 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson,

Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Whalen.

Total 1

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: None.

Total 0

SB 337 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Ellison.

Total 1

SB 389 concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Bachini, Campbell, Cobb, Giacometto, Glaser, Grinde, Hannah, Hayne, Jenkins, Menke, Poulsen, Simon, Swift, Swysgood, Thoft.

Total 15

Excused: Brandewie, Cody, Cohen, Grady, Schye.

Total 5

Absent or not voting: Devlin.

Total 1

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HJR 55, introduced by D. Brown, Wallin, (By Request of the House Local Government Committee). Referred to Committee on State Administration.

HJR 56, introduced by Gilbert. Referred to Committee on Taxation.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/10/87

Correctly printed: HB 910, HJR 52, HJR 53.

Correctly engrossed: SB 3, SB 44, SB 64, SB 71, SB 100, SB 177, SB 224, SB 266, SB 325, SB 337, SB 389.

Correctly enrolled: HB 6, HB 73, HB 78, HB 152, HB 166, HB 167, HB 170, HB 171, HB 179, HB 207, HB 211, HB 284, HB 300, HB 302, HB 309, HB 322, HB 340, HB 344, HB 364, HB 387, HB 393, HB 406, HB 409, HB 417, HB 426, HB 462, HB 470, HB 478, HB 486, HB 495, HB 534, HB 795, HB 851, HB 868, HB 876, HJR 16, HJR 37.

Examined by the sponsor and found to be correct:

HB 6 - Thoft	HB 344 - Asay
HB 73 - Bradley	HB 387 - Keenan
HB 78 - J. Brown	HB 393 - Lory
HB 152 - Bardanouve	HB 409 - Miles
HB 166 - Jones	HB 417 - J. Brown
HB 167 - Gilbert	HB 426 - Campbell
HB 170 - Jones	HB 462 - Miles
HB 171 - Fritz	HB 470 - Miles
HB 179 - Jones	HB 478 - Thomas
HB 207 - Addy	HB 486 - Koehnke
HB 211 - Devlin	HB 495 - Corne'
HB 284 - Darko	HB 534 - Hannah
HB 300 - Lory	HB 795 - Gilbert
HB 302 - Bradley	HB 851 - Harp
HB 309 - Quilici	HB 868 - Swysgood
HB 322 - Eudaily	HB 876 - Ramirez
HB 340 - Donaldson	HJR 16 - Peck
	HJR 37 - Glaser

Signed by the Speaker at 5:15 p.m., 4/9/87: HB 5, HB 7, HB 219, HB 283, HB 356, HB 437.

Signed by the Speaker at 11:45 a.m.: HB 73, HB 78, HB 152, HB 166, HB 167, HB 170, HB 171, HB 179, HB 211, HB 284, HB 300, HB 302, HB 309, HB 322, HB 340, HB 344, HB 387, HB 409, HB 426, HB 534, HB 795, HB 851.

Delivered to the Governor for his approval at 5:04 p.m.: HB 73, HB 78, HB 152, HB 166, HB 167, HB 170, HB 171, HB 179, HB 211, HB 284, HB 300, HB 302, HB 309, HB 322, HB 340, HB 344, HB 387, HB 409, HB 426, HB 534, HB 795.

TAXATION (Ramirez, Chairman):

4/10/87

SB 183, third reading copy, be amended as follows:

1. Title, line 5.

Following: "THROUGH"

Strike: "A"

2. Title, line 6.

Strike: "STATEWIDE LEVY AND"

3. Title, line 7.

Strike: "THE COUNTIES IN EQUALIZING"

Insert: "IN PAYMENT OF"

4. Title, line 8.

Following: "OF"

Insert: "HIGH LEVY"

5. Title, line 9.

Following: "METHOD"

Insert: "OF ESTABLISHING DISTRICT ENTITLEMENT AND"

6. Page 1, line 16 through page 2, line 2.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 2, line 7.

Strike: "3"

Insert: "2"

8. Page 2.

Following: line 13

Insert: "reference"

Following: "aid"

Insert: "calculations"

9. Page 2, line 18 through page 3, line 10.

Strike: ":" on page 2, line 18 through "2]." on line 10, page 3

Insert: "establish a reference mill levy for calculating retirement fund obligations. The reference mill levy is the number of mills that would be required if the state conducted a statewide mill levy for total retirement fund obligations. If an elementary school district or high school district levies an amount greater than the reference mill levy it is entitled to receive state retirement equalization aid calculated and distributed in accordance with [section 3]."

10. Page 3, line 15.

Strike: ":

(i) the statewide levy and" on line 16

11. Page 3, line 16.

Strike: "as" through "(2)" on line 18

Insert: "from the prior fiscal year as determined by [section 13, Chapter 669, Laws of 1985]"

12. Page 3.

Following: line 18

Insert: "(b) establishing affected elementary and high school districts as those that without the state assistance provided in this section would be required to levy a property tax in an amount greater than the reference mill levy established in [section 2]"

Renumber: subsequent subsections

13. Page 3, line 21.

Strike: "state"

Following: "ANB"

Insert: "of affected districts established in subsection (1)(b)"

14. Page 3, line 23.

Following: "each"

Insert: "affected"

15. Page 3, line 25.

Following: "for"

Insert: "affected"

16. Page 4, line 8.

Following: "each"

Insert: "affected"

17. Page 4, line 18.

Strike: "(1)(b)"

Insert: "(1)(c)"

18. Page 4, line 19.

Following: "each"

Insert: "affected"

19. Page 11, line 22.

Following: "sections"

Insert: "2 and"

Strike: "and 4"

20. Page 14, line 18.

Following: "aid"

Insert: ", if any,"

21. Page 14, line 20.

Strike: "4"

Insert: "3"

22. Page 17, line 8.

Strike: "3"

Insert: "2"

23. Page 17, line 10.

Strike: "4"

Insert: "3"

24. Page 17, line 12.

Strike: "4"

Insert: "3"

25. Page 17.

Following: line 12

Insert: "NEW SECTION. Section 8. Coordination instruction. If this bill is passed and approved the last sentence of Section 13, Chapter 669, Laws of 1985, as it appears in Section 4, of House Bill 374 is void. The sentence reads: "The superintendent of public instruction shall then distribute by state warrant the total amount of net lottery revenue available that has been deposited in the superintendent of public instruction lottery account for each county by October 1 of the school fiscal year."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 390, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "ELIMINATE"

Insert: "REVISE"

2. Page 1, line 19.

Following: "changes"

Strike: remainder of line 19 through "15-7-111"

3. Page 2.

Following: line 1

Strike: "death of one of the spouses"

Insert: "transfer of property upon death"

4. Page 2, line 5.

Following: "use"

Strike: "the actual sales price"

Insert: "market value"

5. Page 2, line 8.

Following: "The"

Strike: "actual sales price is the"

6. Page 2, line 9.

Following: "value"

Insert: "is"

Following: "(a)."

Strike: remainder of line 9 through "sales." on line 12

7. Page 6.

Following: line 18

Insert: "NEW SECTION. Section 3. Class nineteen property — undeveloped land. Class nineteen property includes undeveloped parcels of land in excess of 5 acres that are under one ownership. Class nineteen property is taxed at 2% of its market value."

Renumber: subsequent sections

8. Page 6.

Following: line 20

Insert: "NEW SECTION. Section 5. Codification instruction. Section 3 is intended to be codified as an integral part of Title 15, chapter 6, and the provisions of Title 15, chapter 6, apply to section 3."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

Representative Hannah moved that the House adjourn until 10:30 a.m., April 11, 1987.

Motion carried.

House adjourned at 5:15 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-FIRST LEGISLATIVE DAY

Helena, Montana
April 11, 1987

House Chambers
State Capitol

House convened at 10:40 a.m., Mr. Speaker in the Chair. Invocation by Representative Gould. Pledge of Allegiance to the Flag.

Roll call. All members present except Brandewie, Iverson, Patterson, Swift, and Wallin, excused. Quorum present.

MOTIONS

Representative Hannah moved that the House stand in recess until 11:15 a.m. for party caucuses. Motion carried.

House recessed at 10:50 a.m.

House reconvened at 11:45 a.m.

Mr. Speaker in the Chair.

Representative Iverson present at this time.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/10/87

HB 702, introduced by Vincent

HB 814, introduced by Donaldson

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/10/87

HB 599, introduced by Mercer

The Senate, on 4/10/87, overrode the Governor's veto on SB 149, by an affirmative roll call vote of two-thirds of the members and transmitted SB 149 to the House for concurrence.

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in Governor's amendments: 4/10/87

SB 279, introduced by Keating

Governor's amendments to Senate Bill not concurred in and transmitted to the House: 4/10/87

SB 103, Governor's amendments

House bill indefinitely postponed and returned to the House: 4/9/87

HB 881, introduced by Bradley

House bill not concurred in and returned to the House: 4/9/87

HB 744, introduced by Ramirez

Conference committee report adopted: 4/10/87

SB 274, conference committee report

The Senate, on 4/10/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 721.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Story
Senator Haffey

The Senate, on 4/10/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 102.

The President appointed the following members:

Senator Story, Chairman
Senator Lybeck
Senator Beck

The Senate, on 4/10/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 697.

The President appointed the following members:

Senator Lybeck, Chairman
Senator Vaughn
Senator Meyer

MOTIONS

Representative Swift present at this time.

Representative Strizich excused at this time.

Representative Iverson in the Chair.

Representative Vincent moved that the rules be suspended to allow transmittal of SB 307, the "Godzilla" bill, to the House. Motion failed as follows:

Ayes: Campbell, Cobb, Sales, Switzer, Swysgood.
Total 5

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 87

Excused: Brandewie, Patterson, Strizich, Wallin.
Total 4

Absent or not voting: Devlin, Gilbert, Gould, Mercer.
Total 4

Representative Hannah moved that consideration of SB 228 on second reading be passed for the day. Motion carried.

Representative Bulger moved that consideration of HJR 53 on second reading be passed for the day, because he is still gathering information. Motion carried.

Speaker Marks moved that the House stand in recess until 1:40 p.m.
Motion carried.

House recessed at 12:40 p.m.

House reconvened at 1:55 p.m.

Mr. Speaker in the Chair.

Representatives Grinde, Poulsen, Swysgood, Nathe, and Thoft excused at this time.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 256
Report No. 1, April 10, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 256 met and considered:

Senate Bill No. 256, reference copy.

We recommend as follows:

That Senate Bill No. 256, reference copy, be amended as follows:

1. Page 1, line 23.

Following: "COURT."

Insert: "The department shall waive the fee for conducting the investigation if the parent or the child's custodian requesting the investigation is a recipient of aid to families with dependent children, food stamps or general relief benefits."

And that this Free Conference Committee report be adopted.

For the Senate:

Pinsonneault, Chairman
Halligan
B. Brown

For the House:

Mercer
Grady
Russell

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 50 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Glaser, Gould, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 80

Noes: Campbell, Ellison, Giacometto, Gilbert, Hayne, Menke, Meyers, Sales.

Total 8

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: Fritz, Grady, Jenkins.

Total 3

SB 36 failed to get the necessary two-thirds vote as follows:

Ayes: Asay, Bachini, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Koehnke, McCormick, Manuel, Menke, Mercer, Miller, Nathe, O'Connell, Peterson, Phillips, Pistoria, Poff, Rehberg, Roth, Russell, Sales, Smith, Stratford, Swift, Switzer, Thomas, Winslow, Mr. Speaker.

Total 49

Noes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Eudaily, Fritz, Gilbert, Hansen, Harper, Harrington, Kadas, Keenan, Kitselman, Lory, Menahan, Meyers, Miles, Moore, Nelson, Nisbet, Pavlovich, Peck, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 44

Paired: Hannah, Mercer, Nathe, Thomas, Ayes; Eudaily, Strizich, Noes.

Excused: Brandewie, Grinde, Patterson, Poulsen, Swysgood, Thoft, Wallin.

Total 7

Absent or not voting: None.

Total 0

SB 48 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Mercer, Meyers, Miller, Nelson, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Cody, Cohen, Giacometto, Hansen, Harper, Harrington, Kadas, Keenan, Menahan, Menke, Miles, Moore, Nisbet, Peck, Raney, Russell, Whalen.

Total 17

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: Lory.

Total 1

SB 272 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cobb.

Total 1

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: Pistoria.

Total 1

SB 383 concurred in as follows:

Ayes: Addy, Asay, Bachini, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Corne', Daily, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Darko, DeMars, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Menahan, Miles, Nisbet, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Strizich, Whalen.

Total 26

Paired: Nathe, Ramirez, Ayes; Quilici, Strizich, Noes.

Excused: Brandewie, Grinde, Patterson, Poulsen, Swysgood, Thoft, Wallin.

Total 7

Absent or not voting: None.

Total 0

HB 157, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 86

Noes: DeMars, Hoffman, Meyers, Stang, Whalen.

Total 5

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

HB 286, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Hansen, Miles, Squires, Stang, Whalen.

Total 5

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

HB 592, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Cobb, Cohen, Ellison, Giacometto, Peck, Thomas.

Total 6

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

HB 621, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 83

Noes: Bachini, Campbell, Cobb, Connelly, Jones, Kadas, McCormick, Peck.
Total 8

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.
Total 9

Absent or not voting: None.
Total 0

HB 709, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Williams, Winslow, Mr. Speaker.
Total 87

Noes: Cobb, Cohen, Meyers, Whalen.
Total 4

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.
Total 9

Absent or not voting: None.
Total 0

HB 813, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Fritz, Gilbert, Gould, Grady, Hansen, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Vincent, Whalen, Williams, Winslow.
Total 63

Noes: Asay, D. Brown, Campbell, Cobb, DeMars, Devlin, Ellison, Eudaily, Giacometto, Glaser, Hannah, Hanson, Hayne, Jones, Keller, Koehnke,

Menke, Meyers, Pavlovich, Quilici, Sales, Sands, Stang, Stratford, Swift, Switzer, Thomas, Mr. Speaker.

Total 28

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

HB 455, Governor's amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Asay, Giacometto, Hannah, Hayne.

Total 4

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

HB 532, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Glaser, Hannah.

Total 3

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

SB 374, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Cobb, Cody, Hannah, Hansen, Jones, Schye.

Total 6

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: Hayne, Pistoria.

Total 2

SB 274, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Giacometto, Hansen.

Total 2

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

HB 889 passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Bardanouve, Menahan, Raney, Sales.

Total 4

Excused: Brandewie, Grinde, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 9

Absent or not voting: None.

Total 0

MOTIONS

Representative Mercer moved that the conference committee report on HB 163 on second reading be passed for the day. Motion carried.

Representative Mercer moved that Senate amendments to HB 896 be placed at the top of the second reading board. This bill raises the fuel conservation speed limit, and since he was late in leaving for Polson, he would be doing a little research on the matter this afternoon. Motion carried.

Representative McCormick excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Miles in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 896 - Representative Mercer moved that Senate amendments to HB 896 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow.

Total 86

Noes: Bradley, Rapp-Svrcek.

Total 2

Excused: Brandewie, Grinde, McCormick, Nathe, Patterson, Poulsen, Strizich, Swysgood, Thoft, Wallin.

Total 10

Absent or not voting: Ellison, Mr. Speaker.

Total 2

Representatives Devlin, Harp, and Mercer excused at this time.

HB 910 - In the absence of Representative Poulsen, Representative Menahan moved that HB 910, second reading copy, be amended. Amendment failed. (43-51)

Representative Campbell moved that HB 910, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "MATCH EXPENDITURES"

Insert: "PROVIDE A 10% REIMBURSEMENT"

2. Page 8, line 15.

Strike: "one-half"

Insert: "10%"

3. Page 9, line 2.

Strike: "ONE-HALF"

Insert: "10%"

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 50

Noes: Asay, Bardanouve, Brandewie, Cobb, Cody, Compton, DeMars, Devlin, Ellison, Giacometto, Gilbert, Glaser, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Nathe, Nelson, Patterson, Peck, Peterson, Pistoria, Poff, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Thomas, Winslow, Mr. Speaker.

Total 44

Paired: Harrington, McCormick, Menahan, Pavlovich, Poulsen, Quilici, Ream, Strizich, Ayes; Brandewie, Devlin, Hannah, Harp, Mercer, Nathe, Patterson, Switzer, Noes.

Excused: Grinde, Swysgood, Thoft, Wallin.

Total 4

Absent or not voting: Meyers, Phillips.

Total 2

Representatives Thoft and Swysgood present at this time.

Representative Winslow moved that HB 910, as amended, do pass.

Representative Winslow made a substitute motion that HB 910, as amended, be indefinitely postponed. Motion carried. (57-32) Due to mechanical failure the roll call vote was lost.

HB 277 - Representative Connelly moved that the conference committee report on HB 277 be placed at the top of the second reading board. Motion carried.

Representative Grinde present at this time.

Representatives Peck and Nelson excused at this time.

Representative Connelly moved that the conference committee report on HB 277 be adopted. Motion failed. (38-45)

Representative Hannah moved that the conference committee report on HB 277 be rejected. Motion carried as follows:

Ayes: Asay, Bardanouve, D. Brown, Campbell, Cobb, Cody, Compton, Daily, DeMars, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menke, Meyers, Pavlovich, Phillips, Pistoria, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Williams, Winslow, Mr. Speaker.
Total 49

Noes: Addy, Bachini, Bradley, J. Brown, Bulger, Cohen, Connelly, Corne', Darko, Eudaily, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, Manuel, Menahan, Miles, Miller, Moore, Nisbet, Peterson, Poff, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Vincent, Whalen.
Total 38

Excused: Brandewie, Devlin, Harp, McCormick, Mercer, Nathe, Nelson, Patterson, Peck, Poulsen, Strizich, Wallin.
Total 12

Absent or not voting: O'Connell.
Total 1

HJR 52 - Representative Simon moved that HJR 52 be placed below SB 162 on the second reading board for amendment. Motion carried.

SB 22 - Representative Smith moved that SB 22 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Meyers, Miles, Miller, Moore, Nisbet, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Williams, Winslow, Mr. Speaker.
Total 77

Noes: Bachini, Bardanouve, Cobb, Cody, Driscoll, Whalen.
Total 6

Excused: Brandewie, Devlin, Harp, McCormick, Mercer, Nathe, Nelson, Patterson, Peck, Poulsen, Strizich, Wallin.
Total 12

Absent or not voting: Ellison, Grady, Menke, O'Connell, Thoft.
Total 5

Representatives Connelly and Giacometto excused at this time.

SB 71 - Representative Harrington moved that SB 71, reference copy, be amended as follows:

1. Page 6.

Following: line 24

Insert: "(9) The limitation on the amount of taxes levied does not apply in a taxing unit if the voters in the taxing unit approve an increase in tax liability following a resolution of the governing body of the taxing unit containing:

(a) a finding that there are insufficient funds to adequately operate the taxing unit as a result of Initiative No. 105;

- (b) an explanation of the nature of the financial emergency;
- (c) an estimate of the amount of funding shortfall expected by the taxing unit;
- (d) a statement that applicable fund balances are or by the end of the fiscal year will be depleted;
- (e) a finding that there are no alternative sources of revenue;
- (f) a summary of the alternatives that the governing body of the taxing unit has considered; and
- (g) a statement of the need for the increased revenue and how it will be used."

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Grady, Hansen, Harper, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nisbet, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 61

Noes: Asay, Devlin, Ellison, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Hayne, Hoffman, Jenkins, Jones, Kitselman, Menke, Phillips, Roth, Sands, Simon, Swift, Switzer.

Total 22

Paired: Mercer, Strizich, Thomas, Ayes; Devlin, Giacometto, Hannah, Noes.

Excused: Brandewie, Connelly, Harp, McCormick, Nathe, Nelson, Patterson, Peck, Poulsen, Wallin.

Total 10

Absent or not voting: Bardanoue, Bulger, Harrington, Meyers, O'Connell, Smith, Thoft.

Total 7

Representative Kadas moved that SB 71, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Corne', Darko, DeMars, Devlin, Donaldson, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nisbet, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swysgood, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 68

Noes: Asay, Daily, Driscoll, Ellison, Glaser, Grinde, Hannah, Harrington, Hoffman, Menahan, Pavlovich, Pistoria, Quilici, Sands, Strizich, Swift, Switzer, Whalen.

Total 18

Paired: Devlin, Harp, Nathe, Rehberg, Ayes; Harrington, Hoffman, Quilici, Strizich, Noes.

Excused: Brandewie, Connelly, Giacometto, McCormick, Mercer, Nelson, Patterson, Peck, Poulsen, Wallin.
Total 10

Absent or not voting: Bardanouve, Bulger, O'Connell, Thoft.
Total 4

SB 74 - Representative Sands moved that SB 74 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Mr. Speaker.
Total 80

Noes: Cobb, Jones, Kadas.
Total 3

Paired: Patterson, Aye; Kadas, No.

Excused: Brandewie, Connelly, Devlin, Giacometto, Harp, McCormick, Mercer, Nathe, Nelson, Peck, Poulsen, Strizich, Wallin.
Total 13

Absent or not voting: Bardanouve, Bulger, Thoft, Winslow.
Total 4

Representative Pistoria excused at this time.

SB 162 - Representative Williams moved that SB 162 be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Campbell, Cody, Cohen, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Meyers, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Swift, Switzer, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 73

Noes: Cobb, Glaser, Grady, Hannah, Menke, Smith, Stratford, Swysgood.
Total 8

Excused: Brandewie, Connelly, Devlin, Giacometto, Harp, McCormick, Mercer, Nathe, Nelson, Patterson, Peck, Pistoria, Poulsen, Strizich, Wallin.
Total 15

Absent or not voting: Bulger, Compton, Miller, Thoft.
Total 4

HJR 52 - Representative Simon moved that HJR 52 do pass. Representative Marks made a substitute motion that HJR 52, second reading copy, be amended as follows:

1. Title, lines 12 through 14.

Strike: "REQUESTING" on line 12 through "PRINTERS;" on line 14

2. Page 4, line 23 through page 5, line 9.

Strike: "BE" on page 4, line 23 through "STUDY;" on page 5, line 9

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Meyers, Miles, Moore, Nisbet, O'Connell, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Cohen, Fritz, Glaser, Jones, Smith.

Total 5

Excused: Brandewie, Connelly, Devlin, Giacometto, Harp, McCormick, Mercer, Nathe, Nelson, Patterson, Peck, Pistoria, Poulsen, Strizich, Wallin.

Total 15

Absent or not voting: D. Brown, Bulger, Daily, Ellison, Hannah, Hayne, Miller, Pavlovich, Peterson, Thoft.

Total 10

Representative Ramirez excused at this time.

HJR 52, as amended, passed as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Cobb, Cohen, Compton, Corne', Darko, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Holliday, Iverson, Jenkins, Jones, Kennerly, Kitselman, Koehnke, Manuel, Menke, Meyers, Miles, Moore, Nisbet, Peterson, Phillips, Quilici, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stratford, Swift, Swysgood, Thomas, Vincent, Whalen, Winslow.

Total 55

Noes: Asay, Bardanouve, Campbell, Cody, Daily, DeMars, Donaldson, Harper, Harrington, Hayne, Hoffman, Kadas, Keenan, Keller, Lory, Menahan, Pavlovich, Poff, Ream, Schye, Spaeth, Stang, Switzer, Williams, Mr. Speaker.

Total 25

Excused: Brandewie, Connelly, Devlin, Giacometto, Harp, McCormick, Mercer, Nathe, Nelson, Patterson, Peck, Pistoria, Poulsen, Ramirez, Strizich, Wallin.

Total 16

Absent or not voting: Bulger, Miller, O'Connell, Thoft.

Total 4

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the

Chair. Chairman Miles moved the adoption of the committee report. Report adopted. (76-1)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 57, introduced by Fritz, Winslow, Addy, Ream. Referred to Committee on Business and Labor.

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 277. Motion carried.

Speaker Marks appointed Representatives Rehberg, Donaldson, and Connelly to the free conference committee on HB 277.

Representative Lory moved that he be allowed to change his vote on SB 36 on third reading from yes to no. Motion carried.

Representative Sales moved that HJR 55 be taken from the Committee on State Administration and rereferred to the Committee on Local Government. Motion carried. (61-10)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/11/87

Correctly engrossed: HJR 50, SB 36, SB 48, SB 190, SB 272, SB 340, SB 383, SJR 14.

Correctly enrolled: HB 20, HB 373, HB 400, HB 471, HB 771, HB 831.

Examined by the sponsor and found to be correct:

HB 20 - M. Hanson

HB 400 - Manuel

HB 364 - Bradley

HB 406 - Grady

HB 373 - Darko

HB 471 - Darko

HB 381 - Grady

HB 771 - Glaser

HB 831 - Holliday

Signed by the Speaker at 3:30 p.m., 4/10/87: HB 6, HB 207, HB 393, HB 417, HB 462, HB 470, HB 478, HB 486, HB 495, HB 868, HB 876, HJR 16, HJR 37.

Signed by the Speaker at 2:45 p.m.: HB 20, HB 364, HB 373, HB 381, HB 400, HB 406, HB 471, HB 771, HB 831.

Delivered to the Governor for his approval at 9:43 a.m.: HB 5, HB 7, HB 219, HB 283, HB 356, HB 437, HB 851.

Delivered to the Governor for his approval at 10:28 a.m.: HB 6, HB 207, HB 393, HB 417, HB 462, HB 470, HB 478, HB 486, HB 495, HB 868, HB 876.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

John Richardson, Peerless
Jayla Wysel, Philipsburg
Debra Harrison, Great Falls
Meredith Neumeyer, Helena

Rachel Cohen, Whitefish
Jennifer Kaufman, Kalispell
Turk Cobell, Valier
Stacy Kohl, Helena

Representative Hannah moved that the House adjourn until 10:30 a.m.,
April 13, 1987.

Motion carried.

House adjourned at 4:40 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

HOUSE MEMORIAL SERVICE

Helena, Montana

April 12, 1987

The prelude was played by Cindy Tompkins and the candles were lit by Representative Dorothy Bradley and Senator Tom Keating.

The Reverend George Harper delivered the invocation followed by selections from the Helena Boys Choir under the direction of Les Cramer.

Senator J.D. Lynch gave the honorary tribute, and a solo, "On Eagles' Wings", by Patty Mazurek followed.

The following memorial tributes were delivered:

IN MEMORIAM - BEN BENSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of former Representative Ben N. Benson, on February 7, 1983, in Plentywood, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Benson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Benson was born on February 26, 1884, in Sheyenne, North Dakota, to Osmund and Thoni Benson. He grew up there, and homesteaded for a time in Canada.

On January 27, 1919, Representative Benson and Evelyn Aason were married in Sheyenne. They moved to Glasgow from North Dakota with five horses, one cow, farm machinery and a buggy. His home was a sixteen foot army tent until he bought a 14'x 18' shack.

Representative Benson worked as a foreman-carpenter on WPA for five years and was foreman-carpenter with the CCC camp in Medicine Lake.

The late Representative Benson was elected to the House of Representatives during the 1927-28 session.

He also served on the Medicine Lake Town Council, the Medicine Lake School Board for six years, the Oil Company Board and was a member of the Congregational Church Board.

Representative Benson farmed until the spring of 1943, when severe arthritis forced him to retire.

He is survived by his wife, Evelyn of Plentywood. Although they had no children of their own, Victor Carlson, now of Ione, Washington, was like their own son. Other survivors include fourteen nephews and nieces.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Ben Benson.

Delivered by Senator Edward Smith

IN MEMORIAM - PAUL CANNON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Paul Cannon, on November 3, 1986, in Helena, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Cannon be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Paul Cannon was born on May 9, 1896, to Miles and Mary Erickson Cannon in Sunnyside, Washington, and attended school in Yakima, Washington.

Representative Cannon and Caroline Duffes were married May 25, 1923, in Salt Lake City, Utah.

After military service in the Army Medical Corps during World War I, Cannon moved to Butte where he opened a men's clothing business and later owned and operated Cannon's, a women's apparel store for many years.

The late Representative Cannon served in the Montana House in the legislative sessions of 1939, 1941 and 1943. He was Democratic Floor Leader and Speaker Pro Tem of the House.

He first served as lieutenant governor under Democratic Governor John W. Bonner from 1948 to 1952. In 1956, he was elected lieutenant governor at the same time as Republican J. Hugo Aronson was elected governor, serving from 1956-1960. In 1960, Cannon was the Democratic Party's nominee for governor.

He belonged to the Butte Scottish Rite, Order of Masons, the Baghdad Shrine Temple and the Algeria Shrine Temple.

Survivors include his wife, Caroline; two sons and daughters-in-law, Ross W. Cannon, a Helena attorney, and his wife, Sherri; Murray Cannon, a labor official, living in San Jose, California, and his wife, Dolores. He is also survived by four grandchildren: Stephanie Suzanne Cannon of New York, New York; David Scott Cannon of Berkeley, California; Stacy Michelle Cannon of Chevy Chase, Maryland and Jeffrey Cannon of Butte, Montana.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Paul Cannon.

Delivered by Representative Dave Brown

IN MEMORIAM - GENE F. FRATES

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Gene F. Frates, on October 27, 1985, in Billings, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Frates be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Gene F. Frates, son of Emanuel and Agusta Frates, was born in Spokane, Washington, on January 20, 1906.

In 1906 his family moved to Bridger, Montana, and later moved to live in Port Costa, California, then in Edgar, where he graduated from high school.

Representative Frates joined the Marine Corps and served with expeditionary forces in China from 1927 to 1930. He later attended and graduated from Eastern Montana College and also attended Rocky Mountain College.

Representative Frates and Viola Madsen were married on December 31, 1939, in Billings. They lived in Baker and Reedpoint, where he taught school and coached. She died in October of 1942, and he returned to Billings in 1943 and worked as a superintendent for Frates Construction Company. On June 28, 1947, he married Onata Swart Draper in Billings.

The late Representative Frates was elected to the House of Representatives in 1977 and 1979.

He was a building inspector for the city of Billings from 1952 until retiring in 1970. He enjoyed rock collecting, hunting and fishing, and was a member of Billings Gem and Mineral Club, Masonic Lodge, Scottish Rite bodies and Al Bedoo Shrine.

Survivors include his wife, Onata; two daughters, Vivian Meade of Great Falls and Cheryl Strickland of Helena; a son, Larry, of Great Falls; a brother, William J. Frates Sr. of Billings; a sister, Bernice Lamey of Billings; six grandchildren and six great-grandchildren.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Eugene Frates.

Delivered by Representative Les Kitselman

IN MEMORIAM - MALCOLM E. HOLTZ

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Malcolm E. Holtz, on January 1, 1986, in Sun City, Arizona.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Holtz be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Malcolm E. Holtz was born on September 11, 1906, in Wiser, Idaho. He came to Montana in 1914 with his parents, Mr. and Mrs. Walter Holtz. They homesteaded east of Portage. He graduated from Great Falls High in 1925 and farmed in the area with his father, brothers and sisters.

Representative Holtz and Clarice Mundale were married in 1932 and they moved to a farm east of Great Falls, which he operated until 1975.

They moved into Great Falls in 1940, where he was active in many civic organizations, including Rotary Club, the Great Falls Chamber of Commerce, United Travelers, a Montana State College Advisory Board and various Masonic orders.

The late Representative Holtz served in the Montana House of Representatives during the 1963, 1969, 1973 and 1974 sessions. He served as Cascade County Republican Chairman and National Convention delegate in 1968.

He was a prominent farmer and businessman who served on the board of the Helena branch of the Federal Reserve System for six years, including a stint as chairman.

As a farmer, he belonged to the Farm Bureau, served as County Agricultural Stabilization and Conservation committeeman, and was a member of the county Weed Control Board and planning committee.

Representative Holtz was active in many state and local organizations throughout his life. He was a Republican committeeman; he served on the boards of what now are known as the Montana Deaconess Medical Center, United Savings Bank and First Bank Great Falls. He also served on the boards of the YMCA, the Demolay Memorial and the Cascade County Draft Board.

He is survived by his wife, Clarice of Sun City, Arizona; a son, Kent, of Great Falls; a daughter, Sharlee Holtz of Great Falls; a brother, Lowell, of Sun City; three sisters, Marjorie Stewart of Great Falls, Genevieve Speck of Big Fork and Lucille Holtz of Los Angeles, and six grandchildren.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Malcolm Holtz.

Delivered by Representative Francis Bardanouve

IN MEMORIAM - HERB HUENNEKENS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Herbert Huennekens, on March 30, 1987, in Billings, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Huennekens be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Herbert Huennekens was born on June 26, 1912, in Milwaukee, Wisconsin, to Alfred and Clara Huennekens. He attended Milwaukee State University and the University of Wisconsin. He worked as a lifeguard, in a library, as a shoe salesman and wrote for adult and juvenile magazines, having several stories published in "Open Road for Boys".

Representative Herbert Huennekens and Helen Little were married on June 7, 1937, in Freeport, Illinois.

During World War II, Huennekens served in the Air Force as gunnery instructor in Laredo, Texas, and in the Italian campaign, flying 46 missions as gunner and earning distinguished service awards.

In 1936, he began working for the U.S. Weather Bureau in Madison, Wisconsin, transferring to Ohio, Chicago, Illinois, and to Billings in 1941.

The late Representative Huennekens was elected to the House of Representatives in 1973 and served through the year of 1981. He was a member of many committees, including the Natural Resources Committee, Fish and Game Committee and was chairman of the Judicial and Taxation Committees.

Huennekens enjoyed sailing, hunting, fishing, swimming, piloting planes and in his earlier years loved to ski. He boxed in Golden Gloves, was an Eagle Scout, and coached Little League and Babe Ruth baseball.

He retired in 1972, and farmed west of Billings.

Survivors include his wife, Helen; a daughter, Holly Huennekens of Billings; a son, Bob, of Tucson, Arizona; a brother, Jack, of Denver, Colorado; and three sisters, Arlene Ernst of Las Cruces, New Mexico; Dorothy Knaup of Pompano Beach, Florida; and Burnelle Hesse of Menomonee Falls, Wisconsin.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Herb Huennekens.

Delivered by Representative Dorothy Cody

IN MEMORIAM - PAUL KROPP

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Paul K. Kropp, on September 25, 1985, in Malta, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Kropp be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Paul K. Kropp was born December 3, 1919, in Malta, Montana, to Mildred and Walter Kropp. He attended school at Malta High School where he was active in the sport of football.

Representative Kropp and Pearl Rustad were married on March 21, 1952, in Havre.

He was one of the first directors of First Security Bank in Malta. He also served on the North Phillips County Grazing Association from 1949 to 1964.

In November of 1964 he was elected to a six-year term as Phillips County Commissioner.

The late Representative Kropp first served in the House of Representatives in 1971 by appointment. He was then elected in 1975 and served through 1981.

Kropp and his wife ranched in northern Phillips County until 1967 when he retired and moved into Malta.

Survivors include his wife, Pearl; four daughters, Rachel Barrett of Great Falls, Marlys Snider and Lola Matthews, both of Malta, Loretta Stephens of Clyde Park; and a son, Clifford Rustad of Malta.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Paul Kropp.

Delivered by Representative Duane Compton

IN MEMORIAM - HAROLD A. McGRATH

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Harold A. McGrath, on November 17, 1985, in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative McGrath be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Harold McGrath was born on October 28, 1909, in Butte to Daniel and Margaret McGrath and attended St. Joseph's and Butte High School. He attended Carroll College and the University of Montana.

Representative McGrath and Emma Tweddel were married May 5, 1938, in Butte.

For eight years he worked in the service department at Montana Power Company, and then he worked as district sales manager for Northwest Airlines. He was hired by the Chamber of Commerce in 1954 and retired in 1975.

The late Representative McGrath was elected to the State House of Representatives in 1967 and served until 1971.

He belonged to the Rotary Club and was president in 1949. He was active in the March of Dimes and Butte Red Cross and was a past member of the Prudential Federal Savings Board of Directors.

Representative McGrath was active in many other state and local organizations throughout his life. He served on the board for the Montana Automobile Association, Butte Local Development Corp., and belonged to the Butte Country Club.

Survivors include his wife, Emma; son, Michael, of Littleton, Colorado; and daughters Melissa Foster of Helena and Mary Godbout of Walla Walla, Washington. He is also survived by six grandchildren.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Harold McGrath.

Delivered by Senator J.D. Lynch

IN MEMORIAM - JOSEPH H. MONAGHAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Joseph P. Monaghan, on July 4, 1985, in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Monaghan be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Joseph P. Monaghan was born on March 26, 1906, in Meaderville to Michael and Mary Monaghan and attended Boys' Central High School, Carroll College, and the University of Montana Law School. While in school, he won many oratory awards on the state and national level.

Representative Monaghan and Catherine McDermott were married on December 30, 1933, in Butte at St. Mary's church.

The late Representative Monaghan entered politics at the age of 21 when he was elected to the Montana House of Representatives. He was 26 years old, when he first went to Washington, where he was the youngest man in the U.S. Congress.

He served two terms in Congress. He was first elected in 1932 and was reelected in 1934.

In 1936, he ran for the Senate in the primary against the late Senator James E. Murray. He ran again as an independent in 1938 and in 1964 against Senator Mike Mansfield.

When he filed in 1964, he declared his independence from private interest groups. "I will not be a rubber stamp for anyone," he said.

At the time of his death, he was retired from his profession as an attorney.

Survivors include his wife, Catherine Monaghan of Butte; sons and daughters-in-law, Joe Monaghan of Butte, Mr. and Mrs. John Monaghan of Butte, and Mr. and Mrs. Tom Monaghan of Miles City; and eight grandchildren.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Joseph H. Monaghan.

Delivered by Senator Judy Jacobson

IN MEMORIAM - RICHARD A. NUTTING

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Richard A. Nutting, on August 6, 1985, in Billings, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Nutting be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Richard A. Nutting was born on January 12, 1922, to Roy and Mae Nutting in Red Lodge, Montana.

In 1939, he graduated from Billings High School and attended college at Montana State University where he received his degree in Business.

Representative Nutting and Jeanne Heatherley were married in Red Lodge in September of 1942. She died in 1978.

During World War II, Nutting was a captain with the 104th Army Infantry in Europe for three and one-half years, winning the Bronze Star and three Purple Hearts.

The late Montana legislator and Constitutional Convention delegate, Representative Nutting, represented Carbon County in the Montana State House from 1963 to 1967.

He was a past chairman of the Carbon County Republican Central Committee and Federal Land Bank in Billings. Nutting served on the school board of Silesia Country School and was a supporter of higher education.

On January 4th of 1980, Representative Nutting and Mona Hagen were married in Red Lodge.

In his earlier years, Representative Nutting contributed much of his time to local and civic activities. He was an enforcer of the Hunters Safety Program, enjoyed the sport of golf, was a Boy Scout leader and a master of square dance calling.

Aside from his ranching career, from which he retired in 1984, Nutting also kept busy as a member of the Masonic Lodge and Eastern Star organizations.

Representative Nutting is survived by his wife, Mona of Silesia. Other survivors include a son, William, also of Silesia, and daughter, Kaye Nutting of Bozeman and four grandchildren.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Richard A. Nutting.

Delivered by Representative Gary Spaeth

IN MEMORIAM - IRVING M. NYQUIST

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Irving M. Nyquist, on May 12, 1985, in Great Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Nyquist be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Irving M. Nyquist was born on December 23, 1906, in Milaca, Minnesota. He came to Montana in 1929.

Representative Nyquist and Edna Weber were married February 7, 1931, in Helena.

The late Representative Nyquist served in the Montana House of Representatives during the 1969-70 session.

He and his wife, Edna, began and operated the Family Finance Company in Great Falls in 1948, after he had worked many years for the Murphy Finance Company of St. Cloud, Minnesota. He had originally come to Great Falls to open a Murphy branch.

The Nyquist firm was incorporated in 1953 and the name changed to Nyquist Financial Services. Branch offices were later opened in Glasgow and Billings, with the Glasgow office closing after the Air Force base there closed. That operation was transferred to Missoula.

In 1977, the business was sold to the Associates Corporation of North America and the Nyquists retired.

Representative Nyquist was active in many state and local organizations throughout his life. He was instrumental in establishing the Cascade County Counseling Service, which helps people who are in financial trouble, and was involved in forming the Montana Consumer Finance Association, serving four terms as president.

He is survived by his wife, Edna; three sons, including Paul, of Missoula, Maurice, of San Antonio, Texas, and Don, of Blakley Island, Washington.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Irving M. Nyquist.

Delivered by Representative Helen O'Connell

IN MEMORIAM - ROBERT A. PATTERSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Robert A. Patterson, on August 24, 1985, in Havre, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Patterson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Robert Patterson was born on December 30, 1892, in Brinkleyville, North Carolina, to Lucy Manning Patterson and Roger Atkinson Patterson and was schooled in Ashland, Wisconsin, where his father worked as an Indian agent.

After completing school, he worked for Stone, Ordean and Wells Company in Duluth, Minnesota, and was later transferred to Billings.

Representative Patterson and Tillie Schmockel were married on February 12, 1940, in Thompson Falls, Montana.

During World War II, Mr. Patterson and his wife opened Patterson's, a women's apparel and men's western wear store in the former Jestrab Hardware Store. In 1959, Patterson's moved to the Citizens Bank Building and, that same year, they purchased the Marguerite's store. Mrs. Patterson continues to operate both stores.

In 1916, while still in Billings, Patterson received orders to report to the Minnesota National Guard and was stationed in Deming, New Mexico, and served under General Pershing during the uprising led by Pancho Villa. He was inducted into the U.S. Army in October of 1917 and was appointed first lieutenant in the Aviation Section of Signal Corps. After training at Fort Sill, Oklahoma, he was stationed at Bar le Duc, France, where his plane was shot down and he was wounded and taken prisoner of war. He was released at the end of World War I, after recovering in a prisoner of war hospital.

He was decorated with the Purple Heart and Victory Medal before being discharged February 4, 1919.

He came to Havre directly from France and entered into business with his father, "Pop" Patterson, and his brother, Frank Patterson, at "The Rainbow", a general store, and popular stopping place as both a social and shopping center.

The late Representative Patterson was elected to the House of Representatives for the first term in the 1920's and again in the 1940's. He was one of the founders of the American Legion Post No. 11 and was also active in American Legion Baseball.

Representative Patterson was active in many state and local organizations throughout his life. He was President of the Havre Area Chamber of Commerce, and a member of the Algeria Shrine Temple and the North Central Montana Shrine Club. He was also a member of the Elks, a charter member of the World War I Overseas Flyers and a member of St. Mark's Episcopal Church.

Representative Patterson was instrumental in the founding of the Northern Montana State College and the Havre Golf Club. He was a firm believer in continuing education and an avid golf enthusiast. Both interests led him to extensive travel throughout the United States and Europe. He is survived by his wife, Tillie; a son, Robert Patterson of Portland, Oregon; four grandchildren and seven great-grandchildren.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Robert A. Patterson.

Delivered by Representative Bob Bachini

IN MEMORIAM - CARL B. PETERS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Carl B. Peters Sr., on September 2, 1985, in Billings, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Peters be filed on the official

records of this Assembly and the following facts relative to his career are hereby noted:

Representative Carl B. Peters Sr., was born November 6, 1915, a son of Arthur and Gertrude Peters, where he grew up on the family homestead in Billings.

After graduating from Billings High School in 1933, Representative Peters earned a bachelor's degree in agricultural economics from Montana State College in Bozeman.

Representative Peters and Lucille Guay were married June 26, 1941, in Butte, Montana.

World War II took him to the South Pacific with the Navy. Wounded aboard a ship off Guadalcanal, he continued to serve through three campaign stars and returned home with a Purple Heart and a chestful of battle ribbons.

He was a farmer and rancher after the war and continued ranching into his later careers.

As an active Jaycee and Young Republican, Mr. Peters went into politics. He was first elected to the House of Representatives in 1948 and was reelected in 1951 and 1953. While in the House, he participated in a reapportionment battle that won additional representatives for Great Falls and Billings.

In 1953, Representative Peters served his last session in the House. In 1971, he was remarried to Marlys Christianson on April 16 in Billings, Montana.

In 1954, President Dwight D. Eisenhower named him Billings postmaster. He retired in 1978.

Besides his long postal career of 24 years, Representative Peters served a long list of civic organizations and governmental boards. Peters kept busy as a Lockwood school trustee, chairman of Yellowstone Cancer Society, President of Lockwood Water Users Association, President of Montana Chapter of National Association of Postmasters, Vice-President of National Association of Postmasters, and numerous other local government jobs. He was a member of the American Lutheran Church and belonged to more than a dozen social and fraternal clubs.

Peters is survived by his wife, Marlys, of Billings; two sons, Jim, of Littleton, Colorado, and Carl Peters Jr., of Billings; daughters, Yvonne Leipheimer of Butte and Joan Booras of Billings and their mother, Lucille, of Butte. He is also survived by a stepdaughter, Janene Alberda of Seattle, Washington; his sister, Lorraine Taylor of Nice, California; four grandchildren and seven stepgrandchildren.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Carl B. Peters.

Delivered by Senator Tom Hager

IN MEMORIAM - THOMAS D. TOBIN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fiftieth Legislative Assembly of the State of Montana record the passing of Thomas D. Tobin, on October 21, 1985, in Helena, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Tobin be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Representative Thomas Tobin was born on September 7, 1910, in Butte, Montana. He later moved to Billings and attended Billings High School where he played football and basketball. He attended the University of Montana.

Representative Tobin and Jane Power were married on February 14, 1939, in Helena.

He was a deputy U.S. Marshall in Great Falls and served in the U.S. Army Air Transport Command during World War II, attaining the rank of major. After the war he was manager of Western Airlines in Helena.

The late Representative Tobin served in the House of Representatives in the 1953 and 1955 sessions.

He was active in many state and local organizations throughout his life. He was associated with Harry McCuin and Sherman Smith in a general insurance business. He was manager of the Power Block, was president of the Montana Club, an active member of Green Meadow Country Club and had been a director of Northwestern Bank for many years.

Survivors include his wife, Jane; his son, Pete Tobin of Manhattan Beach, California; daughters, Jane and Judy, of Seattle, Washington; and two sisters, Mary Lou Tobin of Helena and Betty Bulger of Great Falls.

We, the members of the Fiftieth Legislative Assembly, do hereby extend sincere sympathy to the family of Thomas D. Tobin.

Delivered by Representative Tom Bulger

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fiftieth Legislative Assembly and that original copies of this memorial, signed by the Speaker of the House of Representatives, the members of the appointed Memorial Committee, and the Chief Clerk of the House of Representatives of the Fiftieth Legislative Assembly, be transmitted by the Chief Clerk of the House of Representatives to the surviving members of the Representatives' families hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

Robert (Bob) Marks, Mary Lou Peterson,
Speaker of the House Chairman of the Memorial
of Representatives Committee

Bobby Spilker, Member of the Memorial
Chief Clerk of the House Committee
of Representatives

Member of the Memorial

John Ortwein sang "The Lord's Prayer" and Representative Tonia Stratford gave the benediction.

The ceremony closed with the singing of the Doxology by the entire assembly, and the legislative wives hosted an informal reception in the lobby.

MEMORIAL COMMITTEE OF THE HOUSE

Representative Mary Lou Peterson, Chairman

Representative Tonia Stratford

Representative Mel Williams

EIGHTY-SECOND LEGISLATIVE DAY

Helena, Montana
April 13, 1987

House Chambers
State Capitol

House convened at 10:50 a.m., Mr. Speaker in the Chair. Invocation by Representative Darko. Pledge of Allegiance to the Flag.

Roll call. All members present except Driscoll, Cohen, S. Hansen, Whalen, and Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eightieth legislative day, find the same to be correct.

Hayne, Chairman

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/11/87

HB 787, introduced by Addy

HB 871, introduced by Miller

HB 878, introduced by Addy

HB 888, introduced by Winslow

HB 901, introduced by Rehberg

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/11/87

HB 870, introduced by Harper

House bills not concurred in and returned to the House: 4/10/87

HB 538, introduced by Winslow

HB 854, introduced by Vincent

HB 890, introduced by Hannah

The Senate, on 4/11/87, dissolved the conference committee on Senate amendments to HB 206 and appointed a free conference committee to meet with a like committee from the House to confer on HB 206.

The President appointed the following members:

Senator Boylan, Chairman
Senator Stimatz
Senator Rasmussen

MOTIONS

Representative Hannah moved that consideration of SB 228 on second reading be passed for the day. It is one of the bills that may be needed to be part of the final budget-balancing package, and waiting until the Senate finished HB 2 would make things more clear. Motion carried. (52-41)

Representative Cohen present at this time.

Representative Hannah moved that the House reconsider its action on HB 910 on second reading the previous legislative day. Due to mechanical problems, there was no final roll call vote on the motion to indefinitely

postpone HB 910, taken on Saturday, the 81st legislative day. Motion carried. (54-42)

Representative Menahan moved that HB 910, the bill returning the state-assumed welfare to the counties, be indefinitely postponed. After debate, Representative Raney moved the previous question. Motion carried. The Menahan motion failed. (48-51)

Representatives Driscoll and S. Hansen present at this time.

SPECIAL ORDERS OF THE DAY

Speaker Marks asked Representatives Addy and Hannah to escort the Reverend Jesse Jackson to the rostrum. Speaker Marks welcomed him to the Montana Legislature, introducing him as a frequent lecturer to high schools, colleges, and professional audiences. His guest appearances before thousands of groups have included such organizations as the Democratic National Convention, the Republican National Committee, the National League of Cities, and the U.S. Conference of Mayors. His commitment, insights and programs toward improving the quality of life of minorities and the underprivileged are unparalleled in America today.

Reverend Jackson spoke to an enthusiastic audience about his hopes and fears for the future, singling out drugs and the rising suicide rate among the young as our greatest challenge. He also addressed his economic hopes and fears for the future, including a restructuring of America's farm credit system and the hope for an end to apartheid in South Africa.

At the conclusion of his address, the House stood at ease for a few moments for people to greet Reverend Jackson, and for members of the Senate to clear the floor. Representatives Addy and Hannah escorted him from the Chamber.

Representative Russell excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 22 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Asay, Cody, Raney.

Total 3

SB 74 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Cobb, Harp.

Total 2

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Cody, Meyers, Poulsen, Raney.

Total 4

SB 162 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Cobb, Giacometto, Glaser, Hannah, Koehnke, Meyers, Patterson, Swysgood.

Total 8

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Cody, Raney.

Total 2

SB 190 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sands,

Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Harp, Sales.

Total 2

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Cody, Ellison, Raney.

Total 3

SB 340 concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bardanouve, Bradley, Bulger, Eudaily, Fritz, Hansen, Harp, Harper, Kadas, Keenan, Lory, Miles, Nisbet, Peck, Ream.

Total 15

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Raney.

Total 1

SJR 14 concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Manuel, Menahan, Miller, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Strizich, Swift, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 66

Noes: Asay, Bachini, D. Brown, Campbell, DeMars, Devlin, Ellison, Giacometto, Glaser, Gould, Grinde, Hanson, Iverson, Jenkins, Koehnke, Lory, McCormick, Menke, Mercer, Meyers, Miles, Nathe, Patterson, Pavlovich, Pistoria, Poff, Stang, Stratford, Switzer, Swysgood, Thoft.

Total 31

Paired: Raney, Aye; Stang, No.

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: None.

Total 0

HB 896, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bradley.

Total 1

Excused: Moore, Russell, Whalen.

Total 3

Absent or not voting: Hoffman, Pistoria, Raney.

Total 3

MOTIONS

Representative Pistoria moved that he be allowed to vote yes on SB 36 on third reading on the previous legislative day. Motion carried.

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 1:30 p.m. Motion carried.

House recessed at 11:55 a.m.

House reconvened at 1:50 p.m.

Mr. Speaker in the Chair.

Representatives Moore and Russell present at this time.

Representative Grady excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative J. Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 910 - Representative Miller moved that HB 910 be placed at the bottom of the second reading board for amendment. After debate, Representative Miller withdrew the motion.

Representative Winslow moved that HB 910, as amended, do pass. Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hannah,

Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 50

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Ream, Russell, Schye, Smith, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams.

Total 49

Paired: Rehberg, Aye; Whalen, No.

Excused: Grady.

Total 1

Absent or not voting: None.

Total 0

Representatives Cohen and Thoft excused at this time.

HJR 53 - Representative Bulger moved that HJR 53 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Bachini.

Total 1

Excused: Cohen, Grady, Thoft, Whalen.

Total 4

Absent or not voting: Corne', Lory, Spaeth.

Total 3

Representatives Thoft and Grady present at this time.

SJR 8 - Representative Sands moved that SJR 8 be concurred in. Representative Marks made a substitute motion that SJR 8 be placed at the bottom of the second reading board for amendment. Motion carried.

SB 183 - Representative Donaldson moved that SB 183 be placed at the bottom of the second reading board because of a problem with the amendment. Motion carried.

SB 390 - Representative Swift moved that SB 390, third reading copy, be amended as follows:

1. House Taxation Committee amendments, dated 4/10/87, instruction no. 7, line 4.

Following: "undeveloped land."

Insert: "(1)"

Following: "property includes"

Insert: ":(a)"

2. House Taxation Committee amendments, dated 4/10/87, instruction no. 7, line 6.

Following: "under one ownership"

Strike: ":",

Insert: ":", and

(b) undeveloped parcels of land 5 acres or less that are under one ownership that are precluded from being developed for residential, commercial, or industrial purposes because of subdivision or zoning laws, regulations, or ordinances or that are precluded from being so developed for other reasons.

(2)"

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 81

Noes: Cody, Hansen, Keenan, Menahan, O'Connell, Peck, Poff, Sands, Schye, Squires, Williams.

Total 11

Excused: Cohen, Whalen.

Total 2

Absent or not voting: Asay, D. Brown, Eudaily, Kadas, Koehnke, Strizich.

Total 6

Representative Ramirez moved that SB 390, as amended, be concurred in. Representative Hannah made a substitute motion that SB 390, third reading copy, be further amended as follows:

1. House Taxation Committee amendments, dated 4/10/87, instruction no. 7, line 5.

Following: "undeveloped parcels of land"

Strike: "in excess of 5 acres"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hoffman, Holliday,

Iverson, Jenkins, Jones, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.
Total 80

Noes: Bardanouve, Bradley, Bulger, Harper, Harrington, Hayne, Kadas, Keenan, Keller, Lory, Miles, Peck, Raney, Ream, Sands, Schye, Squires, Williams.
Total 18

Excused: Cohen, Whalen.
Total 2

Absent or not voting: None.
Total 0

Representative Mercer made a substitute motion that SB 390, third reading copy, be further amended as follows:

1. Swift amendment, dated 4/13/87, (11:00).
Strip: Swift amendment in its entirety

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Menahan.
Total 1

Excused: Cohen, Whalen.
Total 2

Absent or not voting: None.
Total 0

Representative Whalen present at this time.

SB 390, as amended, concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, J. Brown, Campbell, Cobb, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires,

Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bardanouve, Bradley, D. Brown, Bulger, Cody, Daily, Harper, Harrington, Keenan, McCormick, Miles, Nathe, Pavlovich, Peck, Pistoria, Poff, Quilici, Ream, Schye, Vincent, Whalen.

Total 21

Excused: Cohen.

Total 1

Absent or not voting: Kadas, Menahan.

Total 2

HB 84 - Representative Winslow moved that Senate amendments to HB 84 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 78

Noes: Bachini, Cobb, Gilbert, Glaser, Grinde, Hannah, Hayne, Holliday, Iverson, Jenkins, Jones, Mercer, Nisbet, Patterson, Poff, Stang.

Total 16

Excused: Cohen.

Total 1

Absent or not voting: Bardanouve, Bradley, Kadas, Poulsen, Wallin.

Total 5

HB 275 - Representative Rapp-Svrcek moved that Senate amendments to HB 275 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Daily, Glaser, Meyers, Peck, Phillips, Thomas.

Total 6

Excused: Cohen.

Total 1

Absent or not voting: Bardanouve, Poulsen.

Total 2

HB 327 - Representative Bulger moved that Senate amendments to HB 327 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cohen.

Total 1

Absent or not voting: Bardanouve, Moore.

Total 2

HB 460 - Representative Keenan moved that Senate amendments to HB 460 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 91

Noes: Campbell, Devlin, Giacometto, Sales, Spaeth, Swysgood.

Total 6

Excused: Cohen.

Total 1

Absent or not voting: Bardanouve, Ellison.

Total 2

✓ **HB 526** - Representative Schye moved that Senate amendments to HB 526 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Raney, Ream, Rehberg, Roth,

Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams.

Total 60

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Giacometto, Glaser, Gould, Grinde, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Poff, Rapp-Svrcek, Sales, Smith, Stratford, Swift, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 35

Paired: Cohen, Aye; Mercer, No.

Excused: None.

Total 0

Absent or not voting: Ellison, Hannah, Ramirez, Switzer, Winslow.

Total 5

HB 887 - Representative Asay moved that Senate amendments to HB 887 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 82

Noes: Grinde, Jones, Kitselman, Menke, Meyers, Nelson, Peck, Phillips, Sales, Sands, Simon, Smith, Switzer, Thomas.

Total 14

Excused: Cohen.

Total 1

Absent or not voting: Devlin, Poulsen, Ramirez.

Total 3

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J. Brown moved the adoption of the committee report. Report adopted. (86-10)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/13/87

Correctly enrolled: HB 329, HB 501, HB 503, HB 506, HB 530, HB 554, HB 622, HB 641, HB 642, HB 648, HB 679, HB 733, HB 740, HB 748, HB 750, HB 789, HB 791, HB 839, HJR 52, SB 22, SB 71, SB 74, SB 162.

Examined by the sponsor and found to be correct:

HB 329 - Ream

HB 622 - Brandewie

HB 501 - Cody

HB 642 - Spaeth

HB 503 - Bradley

HB 750 - Gilbert

HB 530 - Ellison

HB 839 - Sands

HB 554 - Daily

Signed by the Speaker at 3:30 p.m.: HB 329, HB 501, HB 503, HB 530, HB 554, HB 622, HB 642, HB 750, HB 839.

Delivered to the Governor for his approval at 9:58 a.m.: HB 20, HB 364, HB 373, HB 381, HB 400, HB 406, HB 471, HB 771, HB 831.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

4/13/87

HJR 54, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Hayne, Chairman):

4/13/87

Report the following staff changes:

Termination of Jennifer Nichols, page to minority, effective 4/4/87.

Hiring of Michele Quilici, page to minority, effective 4/6/87.

Termination of Michele Quilici, page to minority, effective 4/13/87.

Hiring of Amy Christensen, page to minority, effective 4/13/87.

Termination of Eric Myrdal, page to Speaker, effective 4/11/87.

Hiring of Lynn Eckel, page to Speaker, effective 4/10/87.

TAXATION (Ramirez, Chairman):

4/13/87

SB 200, third reading copy, be amended as follows:

1. Title, line 13.

Strike: "61-1-130,"

2. Title, line 15.

Following: "61-3-509,"

Insert: "61-3-521, 61-3-522,"

3. Title, line 17.

Following: "7-6-309,"

Strike: "61-3-521 THROUGH"

4. Title, line 19.

Following: "DATE"

Strike: "AND"

Insert: ", "

5. Title, line 20.

Following: "DATE"

Insert: ", AND TERMINATION DATES"

6. Page 8.

Following: line 17

Insert: "(k) motor homes;"

Renumber: subsequent subsections

7. Page 10, line 6.

Strike: "(1)(n)"

Insert: "(1)(o)"

8. Page 11, line 21.

Following: "homes"

Insert: ", "

9. Page 11.

Following: line 5

Insert: "(b) motor homes;"

Renumber: subsequent subsections

10. Page 11, line 19.

Following: "vehicles"

Insert: ", other than motor homes"

11. Page 11, line 23.

Following: "vehicles"

Insert: "as provided by law,"

12. Page 16, line 7.

Following: "~~tax~~"

Insert: "not subject to a fee in lieu of tax"

13. Page 49, lines 5 through 10.

Strike: section 21 in its entirety

Renumber: subsequent sections

14. Page 49.

Following: line 23

Strike: "motor vehicle is owned or taxable"

Insert: "owner makes his permanent residence at the time of making the application or, if the vehicle is owned by a corporation or used primarily for commercial purposes, in the taxing jurisdiction of the county where the vehicle is permanently assigned,"

15. Page 51, line 2.

Strike: "or"

16. Page 51, line 4.

Strike: " "

Insert: "; or"

17. Page 51.

Following: line 9

Insert: "(iii) in the case of a motor home, the fee in lieu of tax for the current year of registration."

18. Page 51, line 12.

Following: "The"

Insert: "department or its agent may not assess and the"

19. Page 51.

Following: line 12

Strike: "assess or"

20. Page 51, line 19.

Following: "The"

Strike: "county treasurer"

Insert: "department or its agent"

21. Page 51, line 23.

Following: "of the"

Strike: "county treasurer"

Insert: "department or its agent"

22. Page 60, line 9.

Following: "assessment"

Insert: ", fee in lieu of tax,"

23. Page 63, line 5.

Following: "Guide"

Strike: "or of"

Insert: “,”

24. Page 63, line 6.

Following: “Guide,”

Insert: “or, for vehicles not listed in the preceding guides, the low value listed in The Value Guide to Cars of Particular Interest,”

25. Page 63, line 10.

Following: “paid.”

Insert: “If the value shown in any of the appraisal guides listed in this section is less than \$1,000, the department shall value the vehicle at \$1,000.”

26. Page 63, line 11.

Strike: “motor homes,”

27. Page 63, line 24.

Following: “guide, the”

Strike: “county ASSESSOR”

Insert: “department of revenue or its agent”

28. Page 63, line 25.

Following: “price”

Strike: “or”

Insert: “,”

29. Page 64, lines 1 through 3.

Following: “price” on line 1

Strike: remainder of line 1 through line 3 in its entirety

Insert: “, or the manufacturer’s suggested list price, using the following methods:

(i) if the new car sales tax has been previously paid and the vehicle is less than 1 year in age, the depreciation percentage shall be 20%; or

(ii) if the vehicle is 1 year or older in age and it is not listed in any of the appraisal guides listed in this section, the department of revenue shall determine the depreciation percentage to approximate the average wholesale or trade-in values in the current N.A.D.A. guides referred to in this subsection. For purposes of this subsection (1), the age of the vehicle is determined by subtracting the manufacturer’s model year of the vehicle from the calendar year of assessment.

(f) When a minimum value of \$1,000 is reached, the value shall remain at that minimum so long as the vehicle is registered.”

30. Page 64.

Following: line 3

Insert: “(g) If a previously registered vehicle”

31. Page 64.

Following: line 4

Strike: “county ASSESSOR”

Insert: “department or its agent”

32. Page 64, line 13.

Strike: “(1)(e)”

Insert: “(1)(g)”

Following: “to”

Insert: “motor homes or”

33. Page 65, line 6.

Following: "~~camper~~ is"

Strike: remainder of line 6 in its entirety

34. Page 65, line 8.

Strike: "MOTOR HOME,"

35. Page 65, lines 9 and 10.

Following: "CAMPER IS"

Strike: remainder of line 9 through "ON" on line 10

36. Page 65, line 11.

Following: "all"

Insert: "taxable"

37. Page 66, line 3.

Following: "shall"

Insert: ", after deducting the district court fee,"

38. Page 66, line 4.

Following: "vehicles"

Insert: "and fees in lieu of tax on motor homes"

39. Page 66, line 7.

Following: "61-3-504"

Insert: ", 61-3-521,"

Following: "SECTION"

Strike: "39"

Insert: "40"

40. Page 67, line 9.

Following: "shall"

Insert: ", after deducting the district court fee,"

41. Page 67, line 10.

Following: "vehicles"

Strike: ", "

Insert: "and fees in lieu of tax on motor homes"

42. Page 67, line 13.

Following: "61-3-504"

Insert: ", 61-3-521,"

Following: "SECTION"

Strike: "39"

Insert: "40"

43. Page 68.

Following: line 3

Insert: "Section 31. Section 61-3-521, MCA, is amended to read:

"61-3-521. Fee in lieu of tax for ~~certain vehicles~~ motor homes. (1) There is a fee in lieu of property tax imposed on motor homes, ~~travel trailers, and campers~~. The fee is in addition to annual registration fees.

(2) The provisions of 61-10-208 do not apply to a ~~vehicle that qualifies under subsection (1) above~~ motor home.

(3) The fee imposed by subsection (1) above need not be paid by a dealer for vehicles that constitute inventory of the dealership."

Section 32. Section 61-3-522, MCA, is amended to read:

"61-3-522. Schedule of fees for motor homes. (1) The owner of a motor home shall pay a fee based on the age of the motor home according to the following schedule:

less than 2 years old	\$200 250
2 years old and less than 3 years old	180 230
3 years old and less than 4 years old	145 195
4 years old and less than 5 years old	100 150
5 years old and less than 6 years old	75 125
6 years old and less than 7 years old	50 100
7 years old and less than 8 years old	25 75
8 years old and older	15 65

(2) The age of a motor home is determined by subtracting the manufacturer's designated model year from the current calendar year."

Renumber: subsequent sections

44. Page 71.

Following: line 9

Insert: "(3) The district court fee is not in addition to vehicle property taxes. The county treasurer shall deduct the district court fee from the vehicle property tax and credit the fee to a suspense account as provided in 61-3-509."

45. Page 72.

Following: line 14

Insert: "(3) The district court fee is not in addition to vehicle property taxes. The county treasurer shall deduct the district court fee from the vehicle property tax and credit the fee to a suspense account as provided in 61-3-509."

46. Page 77, lines 5 through 7.

Following: "TAX" on line 5

Strike: remainder of line 5 through "RESOLUTION" on line 7

Insert: "if the tax is approved by the electors of the county"

47. Page 77, line 14.

Insert: "NEW SECTION. Section 41. Anniversary reregistration. A person may not change the anniversary date for reregistration of a vehicle pursuant to the provisions of 61-3-315 from [the effective date of this act] until January 1, 1988."

Renumber: subsequent sections

48. Page 77, line 17.

Following: "SECTIONS"

Strike: "61-3-521 through"

49. Page 77, line 25.

Following: "applicability"

Insert: "— termination"

Following: "SECTION"

Strike: "40(1)"

Insert: "42(1)"

50. Page 78.

Following: line 3

Insert: "(3) (a) Section 40 terminates July 1, 1989.

(b) Section 41 terminates January 1, 1988."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 325
Report No. 1, April 11, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 325 met and considered:

House Bill No. 325 in its entirety.

We recommend as follows:

That House Bill No. 325, reference copy, be amended as follows:

1. Title, line 20.

Strike: "AMENDING SECTION 2-18-303, MCA;"

2. Page 7, line 13.

Following: "CONTRACT"

Insert: ", as necessary,"

And that this Free Conference Committee report be adopted.

For the Senate:

Mazurek, Chairman
Farrell
Hirsch

For the House:

Mercer
Cody
Nelson

MOTIONS

Representative Hannah moved that the rules be suspended to allow SB 200 and SB 183 to be heard on second and third reading on the 83rd legislative day. Motion carried.

Representative Hannah moved that the conference committee on Senate amendments to HB 796 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate. Motion carried.

Speaker Marks appointed the same conferees, Representatives Gould, Mercer, and Driscoll to the free conference committee on HB 796.

Representative Peterson moved that the proceedings of the Memorial Service on Sunday, April 12, 1987 be entered upon the Journal of the House of Representatives of the Fiftieth Legislature, and a copy be transmitted by the Chief Clerk of the House of Representatives to the surviving members of the families and a copy to be filed with the Montana Historical Society. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:30 a.m., April 14, 1987.

Motion carried.

House adjourned at 5:23 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-THIRD LEGISLATIVE DAY

Helena, Montana
April 14, 1987

House Chambers
State Capitol

House convened at 10:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Compton. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eighty-first and eighty-second legislative days, find the same to be correct.

Hayne, Chairman

MOTIONS

Representative Hannah moved that the House stand in recess until 11:15 a.m. for party caucuses. Motion carried.

House recessed at 10:40 a.m.

House reconvened at 11:55 a.m.

Mr. Speaker announced that the House would recess until 1:20 p.m.

House recessed at 11:55 a.m.

House reconvened at 1:35 p.m.

Mr. Speaker in the Chair.

Representative Donaldson excused at this time.

Representative Spaeth moved that the House override the governor's veto of SB 149, the bill dealing with early retirement of state employees. Motion failed as follows:

Ayes: Bachini, D. Brown, J. Brown, Campbell, Cobb, Corne', Daily, Donaldson, Driscoll, Eudaily, Gould, Grady, Grinde, Harper, Harrington, Iverson, Jones, Kadas, Keenan, Kitselman, Lory, McCormick, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Pistoria, Quilici, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Winslow, Mr. Speaker.
Total 46

Noes: Addy, Asay, Bardanouve, Bradley, Brandewie, Bulger, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Holliday, Jenkins, Keller, Kennerly, Koehnke, Manuel, Menke, Mercer, Meyers, Patterson, Peck, Phillips, Poff, Poulsen, Ramirez, Raney, Rehberg, Roth, Russell, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams.
Total 54

Paired: Donaldson, Menahan, Ayes; Thomas, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Winslow moved that HJR 51, be taken from the table in the Committee on Business and Labor and printed and placed on second reading. Motion carried. (76-21)

Representative Sales moved that the House reconsider its action in passing SB 390 on second reading the previous legislative day. After speaking to the motion, he withdrew it.

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 210, SB 298, SB 360, SB 363, and SB 371. Motion carried.

The Speaker appointed Representatives Simon, Winslow, and S. Hansen to the conference committee on House amendments to SB 210.

The Speaker appointed Representatives Cobb, Giacometto, and Darko to the conference committee on House amendments to SB 363.

The Speaker appointed Representatives Glaser, Swysgood, and Spaeth to the conference committee on House amendments to SB 360.

The Speaker appointed Representatives Kitselman, Glaser, and Bardanouve to the conference committee on House amendments to SB 298.

The Speaker appointed Representatives Kitselman, Thomas, and J. Brown to the conference committee on House amendments to SB 371.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 14, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 29, 161, 372, 434, and 852 on this date. I signed House Bill No. 700 on April 13, 1987.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 14, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 170, "AN ACT TO ALLOW AN OPTOMETRIST TO ADMINISTER OR PRESCRIBE CERTAIN DRUGS TO TREAT EYE DISEASES; TO REQUIRE AN OPTOMETRIST TO DEMONSTRATE COMPETENCY

TO ADMINISTER OR PRESCRIBE DRUGS TO TREAT EYE DISEASES; AND AMENDING SECTIONS 37-2-101, 37-10-101, 37-10-103, 37-10-304, AND 37-10-311, MCA," without my signature and recommend the attached amendments for the following reasons.

Senate Bill No. 170 authorizes specially qualified optometrists to prescribe and administer topical therapeutic drugs for the treatment of minor injuries and disorders of the eye. However, in order to fully meet patients' needs within the expanded scope of practice provided for by the bill, it may occasionally be necessary for the optometrist to deal with the pain associated with an eye disorder.

My proposed amendment, offered with the concurrence of the bill's chief sponsor, would allow optometrists to administer and prescribe oral analgesics in appropriate situations.

I urge your concurrence in these proposed amendments.

Governor's Proposed Amendments
to SB 170

1. Title, line 10.

Following: "CERTAIN"

Insert: "PAIN MEDICINES AND"

2. Page 4, line 5.

Strike: "and"

3. Page 4.

Following: line 5

Insert: "(d) the administration, dispensation, and prescription of the oral analgesics codeine, propoxyphene, hydrocodone, and dihydrocodeine, alone or in combination with nonscheduled or nonregulated drugs; and"

Renumber: subsequent subsection

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/13/87

HB 849, introduced by Quilici

HB 873, introduced by Hannah

HJR 44, introduced by Pavlovich

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/13/87

HB 2, introduced by Donaldson

HB 666, introduced by Ramirez

HB 861, introduced by Nathe

HB 904, introduced by Harp

Governor's amendments to House bill concurred in and returned to the House: 4/13/87

HB 397, introduced by Spaeth

Conference committee reports adopted:

4/13/87

HB 163, conference committee report

HB 837, free conference committee report

The Senate, on 4/13/87, dissolved the conference committee on Senate amendments to HB 796 and appointed a free conference committee to meet with a like committee from the House to confer on Senate amendments to HB 796.

The President appointed the following members:

Senator Lynch, Chairman
 Senator Crippen
 Senator McLane

The Senate failed to concur in House amendments to SB 331 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 331.

The President appointed the following members:

Senator Smith, Chairman
 Senator Severson
 Senator Yellowtail

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Rehberg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Holliday excused at this time.

SB 183 - Representative Bradley moved that SB 183, third reading copy, be amended as follows:

1. House Taxation Committee amendments, dated 4/10/87.
 Strip: amendments in their entirety

Amendment passed as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Fritz, Glaser, Grady, Grinde, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Lory, McCormick, Menahan, Miles, Miller, Moore, Nisbet, Pavlovich, Peck, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Squires, Stang, Stratford, Strizich, Swysgood, Thomas, Vincent, Whalen, Williams.
 Total 51

Noes: Asay, Bardanouve, Cobb, Cody, Compton, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Gould, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Wallin, Winslow, Mr. Speaker.
 Total 48

Paired: Donaldson, Keenan, Ayes; Devlin, Holliday, Noes.

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

Representative Holliday present at this time.

Representative Ramirez moved that SB 183, third reading copy, be further amended as follows:

1. Page 1, line 16.

Strike: new section 1 in its entirety

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Addy, Asay, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 69

Noes: Bachini, Bardanouve, Bradley, D. Brown, Darko, DeMars, Donaldson, Driscoll, Fritz, Hansen, Harper, Harrington, Keenan, Kennerly, McCormick, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Ream, Schye, Strizich, Vincent, Whalen.

Total 30

Paired: Devlin, Aye; Donaldson, No.

Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

Representative Ramirez moved that SB 183, third reading copy, be further amended as follows:

1. Title, lines 9 and 10.

Following: "FOR"

Strike: remainder of line 9 through "AND" on line 10

2. Page 2, line 13.

Strike: "Determination of statewide"

Insert: "Statewide"

3. Page 2, line 14.

Strike: "(1)"

4. Page 2, lines 17 to page 3, line 6.

Following: "year, the"

Strike: remainder of line 17 through "(2) The" on page 3, line 6

5. Page 3, line 6.

Following: "director"

Insert: "of the department of revenue"

Following: "set a"

Insert: "9-mill"

Following: "levy"

Strike: ", "

6. Page 3, lines 7 and 8.

Following: "state"

Strike: remainder of line 7 through "(1) (b)" on line 8

7. Page 3, line 16.

Following: "levy"

Insert: "provided for in [section 2]"

8. Page 3, line 17.

Strike: "[section 3]"

Insert: "[section 4 of House Bill No. 374]"

9. Page 11, line 22.

Strike: "[sections 3 and 4]"

Insert: "[section 3]"

10. Page 17.

Following: line 12

Insert: "NEW SECTION. Section 9. Coordination instruction. If this bill is passed and approved, the last sentence of section 13, Chapter 669, Laws of 1985, as it appears in section 4 of House Bill No. 374, is void. The sentence reads: "The superintendent of public instruction shall then distribute by state warrant the total amount of net lottery revenue available that has been deposited in the superintendent of public instruction lottery account for each county by October 1 of the school fiscal year."

Renumber: subsequent section

Amendment passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Compton, Corne', Daily, Darko, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Asay, D. Brown, Campbell, Cody, Cohen, Connelly, DeMars, Driscoll, Glaser, Harper, Kadas, McCormick, Miller, Nisbet, Pavlovich, Pistoria, Poff, Schye, Strizich, Whalen.

Total 20

Excused: Donaldson.

Total 1

Absent or not voting: O'Connell, Poulsen, Rapp-Svrcek.

Total 3

Representative Bradley moved that SB 183, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Kadas, Keenan,

Kennerly, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Wallin, Whalen, Williams.

Total 52

Noes: Asay, Bardanouve, Brandewie, Cody, Compton, DeMars, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Menke, Mercer, Meyers, Nathe, Patterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Swift, Switzer, Swysgood, Thoft, Winslow, Mr. Speaker.

Total 48

Paired: Donaldson, Aye; Devlin, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 200 - Representative Kadas moved that SB 200 be concurred in. Representative Kadas made a substitute motion that SB 200, third reading copy, be amended as follows:

1. House Taxation Committee amendment no. 39.

Page 66, line 7.

Following: "61-3-504"

Insert: "61-3-521,"

Following: "SECTION"

Strike: "39"

Insert: "40 37"

2. House Taxation Committee amendment no. 42.

Page 67, line 13.

Following: "61-3-504"

Insert: "61-3-521,"

Following: "SECTION"

Strike: "39"

Insert: "40 37"

3. House Taxation Committee amendment no. 49.

Page 77, line 25.

Following: "applicability"

Insert: "— termination"

Following: "SECTION"

Strike: "40(1)"

Insert: "42(1) 39(1)"

SB 200, third reading copy, be further amended as follows:

1. Title, line 15.

Following: "61-3-524,"

Strike: "61-3-531, 61-3-533 THROUGH"

2. Title.

Following: line 17

Strike: "61-3-532"

Insert: "61-3-531 THROUGH 61-3-534"

3. Page 66, line 15.

Following: "(2)"

Insert: "The county treasurer shall deduct as a district court fee 7% of the amount of the 2% tax collected on an automobile or truck having a rated capacity of three-quarters of a ton or less."

4. Page 66, lines 16 and 17.

Following: "fee" on line 16

Strike: remainder of line 16 through "61-3-533" on line 17

5. Page 66, line 23.

Following: "."

Insert: "Any amount forwarded to the state treasurer under this subsection not used for district court expenses must be refunded to the counties in the proportion that the amount collected from each county bears to the total amount collected."

6. Page 67, line 20.

Following: "(2)"

Insert: "The county treasurer shall deduct as a district court fee 7% of the amount of the 2% tax collected on an automobile or truck having a rated capacity of three-quarters of a ton or less."

7. Page 67, line 21.

Following: "courts"

Strike: "provided for in 61-3-533"

8. Page 68, line 3.

Following: "."

Insert: "Any amount forwarded to the state treasurer under this subsection not used for district court expenses must be refunded to the counties in the proportion that the amount collected from each county bears to the total amount collected."

9. Page 69, line 10 through page 72, line 22.

Strike: sections 33 through 35 in their entirety

Renumber: subsequent sections

10. Page 77, line 17.

Following: "61-3-523,"

Strike: "61-3-532"

Insert: "61-3-531 through 61-3-534"

11. Page 8, line 15.

Page 31, line 12.

Page 34, line 15.

Page 36, line 14.

Page 37, line 23.

Page 38, line 15.

Page 41, line 18.

Page 47, line 14.

Page 74, line 5.

Strike: "39"

Insert: "36"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe,

Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 96

Noes: None.

Total 0

Excused: Donaldson.

Total 1

Absent or not voting: Sales, Spaeth, Mr. Speaker.

Total 3

Representative Kadas made a substitute motion that SB 200, third reading copy, be further amended as follows:

1. House Taxation Committee amendments.

Strike: amendment no. 46 in its entirety

Amendment passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Gilbert, Grinde, Hansen, Harper, Harrington, Hayne, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nisbet, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Whalen, Williams, Mr. Speaker.

Total 61

Noes: Bachini, Brandewie, Campbell, Cobb, Devlin, Ellison, Eudaily, Giacometto, Glaser, Gould, Hannah, Hanson, Harp, Hoffman, Jenkins, Kitselman, Koehnke, Mercer, Nelson, Patterson, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Stratford, Swift, Swysgood, Thoft, Thomas, Wallin.

Total 35

Excused: Donaldson.

Total 1

Absent or not voting: Grady, O'Connell, Winslow.

Total 3

Representative Raney made a substitute motion that SB 200, third reading copy, be further amended as follows:

1. Page 76, line 22.

Strike: "THE RATE OF"

Insert: "a rate of up to"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson,

Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 94

Noes: Jones, Smith.
Total 2

Excused: Donaldson.
Total 1

Absent or not voting: Hoffman, O'Connell, Winslow.
Total 3

Representative Menahan made a substitute motion that SB 200, third reading copy, be further amended as follows:

1. House Taxation Committee amendment no. 1.
Title, line 13
Strike: "61-1-130, 61-1-131,"

2. House Taxation Committee amendment no. 2.
Title, line 15
Following: "61-3-509,"
Insert: "~~61-3-521~~, 61-3-522, 61-3-523,"

3. House Taxation Committee amendment no. 3.
Title, line 17
Following: "7-6-309,"
Strike: "61-3-521 THROUGH 61-3-523,"

4. House Taxation Committee amendment no. 6.
Page 8
Following: line 17
Insert: "(k) motor homes, travel trailers, and campers;"
ReNUMBER: subsequent subsections

5. House Taxation Committee amendment no. 9.
Page 11
Following: line 5
Insert: "(b) motor homes, travel trailers, and campers;"
ReNUMBER: subsequent subsections

6. House Taxation Committee amendment no. 10.
Page 11, line 19
Following: "vehicles"
Insert: ", other than motor homes, travel trailers, and campers"

7. House Taxation Committee amendment no. 13.
Page 49, lines 5 through ~~10~~ 17
Strike: ~~section~~ sections 21 and 22 in its their entirety
ReNUMBER: subsequent sections

8. House Taxation Committee amendment no. 17.
Page 51
Following: line 9
Insert: "(iii) in the case of a motor home, travel trailer, or camper, the fee in lieu of tax for the current year of registration."

9. House Taxation Committee amendment no. 26.
Page 63, line 11

Following: "motorcycles"

Strike: " "

Insert: "and"

Following: "quadricycles"

Strike: "motor homes," on line 11 through "campers" on line 12

10. House Taxation Committee amendment no. 32.

Page 64, line 13

Strike: "(1)(e)"

Insert: "(1)(g)"

Following: "to"

Insert: "motor homes, travel trailers, campers, or"

11. House Taxation Committee amendment no. 34.

Page 65, line 8 through line 10

Strike: "MOTOR HOME," subsection (b) in its entirety

12. House Taxation Committee amendment no. 35.

Strike: amendment no. 35 in its entirety

13. House Taxation Committee amendment no. 38.

Page 66, line 4

Following: "vehicles"

Insert: "and fees in lieu of tax on motor homes, travel trailers, and campers"

14. House Taxation Committee amendment no. 41.

Page 67, line 10

Following: "vehicles"

Strike: " "

Insert: "and fees in lieu of tax on motor homes, travel trailers, and campers"

15. House Taxation Committee amendment no. 43.

Page 68

Following: line 3

Insert: "Section 30. ~~Section 61-3-521, MCA, is amended to read:~~

~~"61-3-521. Fee in lieu of tax for certain vehicles motor homes. (1) There is a fee in lieu of property tax imposed on motor homes, travel trailers, and campers. The fee is in addition to annual registration fees.~~

~~(2) The provisions of 61-10-208 do not apply to a vehicle that qualifies under subsection (1) above motor home.~~

~~(3) The fee imposed by subsection (1) above need not be paid by a dealer for vehicles that constitute inventory of the dealership."~~

~~Section 32. Section 61-3-522, MCA, is amended to read:~~

~~"61-3-522. Schedule of fees for motor homes. (1) The owner of a motor home shall pay a fee based on the age of the motor home according to the following schedule:~~

less than 2 years old	\$200	250
2 years old and less than 3 years old	180	230
3 years old and less than 4 years old	145	195
4 years old and less than 5 years old	100	150
5 years old and less than 6 years old	75	125
6 years old and less than 7 years old	50	100
7 years old and less than 8 years old	25	75
8 years old and older	15	65

(2) The age of a motor home is determined by subtracting the manufacturer's designated model year from the current calendar year."

Section 31. Section 61-3-523, MCA, is amended to read:

"61-3-523. Schedule of fees for travel trailers and campers. (1) The fee imposed by 61-3-521 on a travel trailer less than 3 years old is ~~\$40~~ \$60. In all other cases the fee is ~~\$15~~ \$22.50.

(2) The fee imposed by 61-3-521 on a camper less than 3 years old is ~~\$35~~ \$52.50. In all other cases the fee is ~~\$15~~ \$22.50.

(3) The age of a travel trailer or camper is determined by subtracting the manufacturer's designated model year from the current calendar year."

Renumber: subsequent sections

16. House Taxation Committee amendment no. 50.

Strike: "40"

Insert: "36"

Strike: "41"

Insert: "37"

SB 200, third reading copy, be further amended as follows:

1. Page 65, line 1.

Following: "(2)"

Strike: "(A)"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Cohen, Hoffman, Koehnke, Menke, Meyers, Phillips, Ramirez, Raney, Sales, Spaeth, Swift, Thoft, Thomas.

Total 13

Excused: Donaldson.

Total 1

Absent or not voting: Nathe, O'Connell.

Total 2

Representative Glaser made a substitute motion that SB 200, third reading copy, be further amended as follows:

1. Page 63, line 14.

Strike: "\$1,000"

Insert: "\$250"

2. Page 64, line 2.

Strike: "\$1,000"

Insert: "\$500"

3. Page 64, line 7.

Strike: "\$1,000"

Insert: "\$500"

Amendment passed as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, Bulger, Campbell, Cobb, Compton, Devlin, Driscoll, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas.
Total 51

Noes: Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Ellison, Eudaily, Fritz, Gilbert, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams.
Total 44

Excused: Donaldson.
Total 1

Absent or not voting: Addy, O'Connell, Winslow, Mr. Speaker.
Total 4

Representative Hannah made a substitute motion that SB 200, third reading copy, be further amended. Amendment failed. (43-52)

Representative Daily made a substitute motion that SB 200, third reading copy, be further amended. Amendment failed. (17-81)

Representative Addy excused at this time.

SB 200, as amended, concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harrington, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Peck, Peterson, Poff, Raney, Ream, Russell, Sales, Schye, Squires, Stratford, Strizich, Switzer, Vincent, Whalen, Williams.
Total 51

Noes: Asay, Bachini, Brandewie, Campbell, Cobb, Cohen, Daily, Eudaily, Giacometto, Gould, Hannah, Harp, Harper, Hayne, Hoffman, Jenkins, Jones, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 48

Paired: Addy, Aye; Ramirez, No.

Excused: Donaldson.
Total 1

Absent or not voting: None.
Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehberg moved the adoption of the committee report. Report adopted. (65-33)

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 331. Motion carried.

The Speaker appointed Representatives Ellison, Bulger, and Keller to the conference committee on House amendments to SB 331.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 58, introduced by Asay, Quilici, Winslow, Addy, Vincent, Wallin, Lory, Ramirez. Referred to Committee on Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 910 passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peck, Peterson, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Spaeth, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 53

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Russell, Schye, Smith, Squires, Stang, Strizich, Swysgood, Whalen, Williams.

Total 47

Paired: Donaldson, Aye; Miller, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 52 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poulsen, Ramirez, Raney, Rapp-Svrcek,

Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 77

Noes: Asay, D. Brown, Campbell, Cody, Darko, Giacometto, Harper, Harrington, Hayne, Kadas, Keller, Lory, Meyers, Peck, Pistoria, Poff, Quilici, Schye, Stang, Whalen.

Total 20

Excused: Donaldson.

Total 1

Absent or not voting: Nathe, Strizich.

Total 2

HJR 53 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Campbell, Glaser, Hoffman.

Total 3

Excused: Donaldson.

Total 1

Absent or not voting: Ellison.

Total 1

SB 71 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Bardanouve, D. Brown, Campbell, Daily, Ellison, Giacometto, Glaser, Peck, Pistoria, Whalen.

Total 10

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

SB 390 concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Smith, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bardanouve, Bradley, Bulger, Campbell, Cody, Daily, Giacometto, Hansen, Harper, Harrington, Kadas, Meyers, Miles, Nathe, Pavlovich, Peck, Pistoria, Poff, Ream, Sales, Schye, Spaeth, Strizich.

Total 23

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 84, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hoffman, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Pavlovich, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 79

Noes: Bachini, Campbell, Cobb, Gilbert, Glaser, Grinde, Hannah, Harp, Hayne, Holliday, Jones, Mercer, Meyers, Nisbet, Patterson, Peck, Phillips, Poff, Sales, Mr. Speaker.

Total 20

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 275, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen,

Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Meyers, Peck, Phillips, Sales, Simon, Wallin.

Total 7

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

HB 526, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Grady, Hannah, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nisbet, O'Connell, Peck, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow.

Total 62

Noes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Ellison, Giacometto, Gould, Grinde, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Koehnke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Poff, Rapp-Svrcek, Sales, Smith, Stratford, Swift, Swysgood, Thoft, Thomas, Mr. Speaker.

Total 36

Excused: Donaldson.

Total 1

Absent or not voting: Pavlovich.

Total 1

HB 887, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Harp, Jones, Kitselman, Menke, Meyers, Nelson, Peck, Phillips, Ramirez, Roth, Sales, Sands, Simon.

Total 14

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

SB 183 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poulsen, Raney, Rapp-Svrcek, Ream, Sands, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Whalen, Williams.

Total 50

Noes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Manuel, Menke, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Poff, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.

Total 49

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

SB 200 failed to be concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Gilbert, Grady, Grinde, Hansen, Hanson, Harrington, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, Peck, Peterson, Poff, Raney, Ream, Russell, Sales, Schye, Squires, Stratford, Strizich, Switzer, Vincent, Whalen, Williams.

Total 49

Noes: Asay, Bachini, Brandewie, Campbell, Cobb, Cohen, Daily, Eudaily, Giacometto, Glaser, Gould, Hannah, Harp, Harper, Hayne, Hoffman, Jenkins, Jones, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Smith, Spaeth, Stang, Swift, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 50

Excused: Donaldson.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Kadas moved that the House reconsider its action in failing to pass SB 200 on third reading this day. After debate, Representative Ellison moved the previous question. Motion carried. The Kadas motion to reconsider passed. (61-38)

Representative Sands moved that the House reconsider its action in passing SB 183 on third reading this day. Motion carried. (52-46)

THIRD READING OF BILLS

The following bills having been read six several times, title and history agreed to, were disposed of in the following manner:

SB 200 concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Fritz, Gilbert, Grady, Grinde, Hansen, Hanson, Harrington, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nathe, Nisbet, O'Connell, Peck, Peterson, Poff, Raney, Rapp-Svrcek, Ream, Russell, Sales, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Whalen, Williams.
Total 55

Noes: Asay, Bachini, Brandewie, Campbell, Cobb, Cohen, Daily, Eudaily, Giacometto, Glaser, Gould, Hannah, Harp, Harper, Hayne, Hoffman, Jones, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Miller, Nelson, Patterson, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sands, Simon, Smith, Swift, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 44

Excused: Donaldson.
Total 1

Absent or not voting: None.
Total 0

SB 183 concurred in as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harp, Harper, Harrington, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Miles, Miller, Moore, Nelson, Nisbet, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Spaeth, Squires, Stang, Stratford, Strizich, Thomas, Vincent, Whalen, Williams.
Total 50

Noes: Asay, Bardanouve, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Ellison, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Manuel, Menke, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Wallin, Winslow, Mr. Speaker.
Total 48

Excused: Donaldson.
Total 1

Absent or not voting: O'Connell.
Total 1

MOTIONS

Representative Brandewie moved that the House reconsider its action in passing SB 183 on third reading this day. Representative D. Brown made a substitute motion that the motion to reconsider be layed on the table. The motion to table failed. (48-51) Representative Jones made a motion to all motions pending that the House adjourn. The motion to adjourn failed. (48-49)

The Brandewie motion to reconsider action on SB 183 failed. (49-49)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/14/87

Correctly printed: HJR 54.

Correctly engrossed: HB 910, HJR 53, SB 390.

Correctly enrolled: HB 157, HB 210, HB 286, HB 504, HB 509, HB 564, HB 570, HB 577, HB 592, HB 606, HB 610, HB 612, HB 626, HB 639, HB 661, HB 670, HB 702, HB 709, HB 714, HB 716, HB 718, HB 741, HB 751, HB 772, HB 806, HB 813, HB 817.

Examined by the sponsor and found to be correct:

HB 157 - Mercer	HB 670 - Bachini
HB 210 - Grady	HB 679 - Keenan
HB 286 - Spaeth	HB 702 - Vincent
HB 504 - Kadas	HB 709 - D. Brown
HB 506 - S. Hansen	HB 714 - Connolly
HB 509 - Schye	HB 716 - J. Brown
HB 564 - Williams	HB 718 - Harper
HB 570 - Brandewie	HB 733 - Quilici
HB 577 - D. Brown	HB 740 - Cobb
HB 592 - Harp	HB 741 - Harp
HB 606 - Glaser	HB 748 - Ramirez
HB 610 - D. Brown	HB 751 - Winslow
HB 612 - Roth	HB 772 - Brandewie
HB 626 - Fritz	HB 789 - Harper
HB 639 - Corne'	HB 791 - Strizich
HB 641 - Menahan	HB 806 - Pavlovich
HB 648 - Holliday	HB 813 - Cohen
HB 661 - Spaeth	HB 817 - Glaser

Signed by the Speaker at 4:00 p.m.: HB 504, HB 506, HB 509, HB 564, HB 570, HB 577, HB 606, HB 612, HB 626, HB 639, HB 641, HB 648, HB 661, HB 670, HB 679, HB 716, HB 718, HB 733, HB 740, HB 741, HB 748, HB 751, HB 772, HB 789, HB 791, HB 817.

Delivered to the Governor for his approval at 10:20 a.m.: HB 329, HB 501, HB 503, HB 530, HB 554, HB 622, HB 642, HB 750, HB 839.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 1:00 p.m., April 15, 1987.

Motion carried.

House adjourned at 6:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-FOURTH LEGISLATIVE DAY

Helena, Montana
April 15, 1987

House Chambers
State Capitol

House convened at 1:20 p.m., Mr. Speaker in the Chair. Invocation by Representative Williams. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, Manuel, Miles, and Strizich, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-third legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/15/87

Correctly printed: HJR 51.

Correctly enrolled: HB 39, HB 787, HB 814, HB 878, HB 888, HB 901.

Examined by the sponsor and found to be correct:

HB 39 - Donaldson

HB 787 - Addy

HB 814 - Donaldson

HB 878 - Addy

HB 888 - Winslow

HB 901 - Rehberg

Signed by the Speaker at 6:15 p.m., 4/14/87: HB 157, HB 210, HB 286, HB 592, HB 610, HB 702, HB 709, HB 714, HB 806, HB 813.

Signed by the Speaker at 11:20 a.m.: HB 814.

Delivered to the Governor for his approval at 10:15 a.m.: HB 504, HB 506, HB 509, HB 564, HB 570, HB 577, HB 606, HB 612, HB 626, HB 639, HB 641, HB 648, HB 661, HB 670, HB 679, HB 716, HB 718, HB 733, HB 740, HB 741, HB 748, HB 751, HB 772, HB 789, HB 791, HB 817.

Delivered to the Governor for his approval at 11:49 a.m.: HB 814.

Delivered to the Governor for his approval at 1:20 p.m.: HB 157, HB 210, HB 286, HB 592, HB 610, HB 702, HB 709, HB 714, HB 806, HB 813.

BUSINESS AND LABOR (Kitselman, Chairman): 4/15/87

HJR 57, do pass. Report adopted.

HJR 58, introduced bill, be amended as follows:

1. Page 2.

Strike: lines 6 through 9 in their entirety

2. Page 2, line 21.

Strike: "purpose"

Insert: "purposes"

3. Page 3, line 10.

Strike: "nine"

Insert: "11"

4. Page 3, line 15.

Strike: "two"

Insert: "four"

5. Page 3, line 16.

Following: "Commerce"

Strike: "and"

Insert: ",",

6. Page 3, line 17.

Following: "Administration"

Insert: "g, one to represent the Department of Agriculture, and one to represent the public at large"

7. Page 3, line 24.

Strike: "a"

Insert: "those"

Strike: "industry"

Insert: "industries"

And, as amended, do pass. Report adopted.

TAXATION (Ramirez, Chairman):

4/15/87

HJR 56, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "No."

Strike: "51"

Insert: "116"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee

on House Bill No. 326

Report No. 1, April 14, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 326 met and considered:

House Bill No. 326 in its entirety.

We recommend as follows:

That House Bill No. 326, reference copy, be amended as follows:

1. Title, line 5.

Following: "PROVIDE"

Insert: "THAT A JUDGE MUST SPECIFY"

2. Title, line 8.

Following: "~~OTHERWISE~~"

Strike: "UNLESS THE SENTENCING COURT ORDERS OTHERWISE"

3. Page 3, line 11.

Following: "violated,"

Strike: remainder of line 11 through line 15 in their entirety

Insert: "the court shall consider any elapsed time and either expressly allow part or all of it as a credit against the sentence or reject all or part as a credit and state its reasons in the order. Credit, however, must be allowed for jail time already served."

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Halligan, Chairman
Bishop
B.Brown

Mercer
Gould
Addy

Conference Committee
on House Bill No. 697
Report No. 1, April 14, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 697 met and considered:

Senate amendments to House Bill No. 697, third reading copy, dated March 24, 1987.

We recommend as follows:

That Senate amendments to House Bill No. 697 be concurred in.

And that this Conference Committee report be adopted.

For the Senate:

Lybeck, Chairman
Vaughn
Meyer

For the House:

Sales
Wallin
Connelly

Free Conference Committee
on House Bill No. 752
Report No. 1, April 10, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 752 met and considered:

Senate Public Health, Welfare, and Safety Committee amendments to the third reading copy, dated March 7, 1987.

We recommend as follows:

That House Bill No. 752, reference copy, be amended as follows:

1. Page 3, lines 19 through 22.

Following: "provider"

Strike: remainder of line 19 through "affects" on line 22

Insert: ", including medical or psychological diagnosis, treatment, evaluation, advice, or other services that affect"

2. Page 4.

Following: line 25

Insert: "(11) 'Peer review' means an evaluation of health care services by a committee of a state or local professional organization of health care providers or a committee of medical staff of a licensed health care facility. The committee must be:

(a) authorized by law to evaluate health care services; and

(b) governed by written bylaws approved by the governing board of the health care facility or an organization of health care providers."

Renumber: subsequent subsection

3. Page 5, line 21.

Following: "[section 9(1) or 9(2)]"

Insert: "except for an agent or employee of the health care provider or a person who has examined the recorded health care information under [section 9(2)]."

4. Page 8, lines 13 through 15.

Following: "who" on line 13

Strike: remainder of line 13 through "WHO" on line 15

5. Page 9, line 4.

Following: "~~unless~~"

Strike: "IF"

Insert: "unless"

6. Page 9, line 5.

Following: "~~not~~"

Insert: "not"

7. Page 9, line 14.

Following: "~~unless~~"

Strike: "IF"

Insert: "unless"

8. Page 9, line 15.

Following: "~~not~~"

Insert: "not"

9. Page 11, line 4.

Following: "~~unless~~"

Strike: "IF"

Insert: "unless"

10. Page 11, line 5.

Following: "~~not~~"

Insert: "not"

11. Page 11, line 12.

Following: "law;"

Strike: "and"

Insert: "(4) to a law enforcement officer about the general physical condition of a patient being treated in a health care facility, if the patient was injured on a public roadway, or was injured by the possible criminal act of another; or"

Renumber: subsequent subsection

12. Page 12, line 3.

Following: "will"

Insert: "or other document"

13. Page 16, line 9.

Following: "purposes;"

Strike: "or"

Insert: "(e) the health care provider obtained the information from a person other than the patient; or"

Renumber: subsequent subsection

14. Page 16.

Following: line 11

Insert: "(2) Except as provided in [section 19], a health care provider may deny access to health care information by a patient who is a minor if:

(a) the patient is committed to a mental health facility; or

(b) the patient's parents or guardian have not authorized the health care provider to disclose the patient's health care information."

Renumber: subsequent subsections

15. Page 16, lines 22 through 24.

Following: "provider"

Strike: ", selected by the patient, who is licensed, certified, or otherwise authorized under the laws of this state to treat"

Insert: "who is providing health care services to"

16. Page 23.

Following: line 4

Insert: "(4) No disciplinary or punitive action may be taken against a health care provider or his employee or agent who brings evidence of a violation of [sections 1 through 25] to the attention of the patient or an appropriate authority."

Renumber: subsequent subsections

17. Page 25, lines 16 and 17.

Following: "qualified"

Strike: "professional persons"

Insert: "professionals"

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Eck, Chairman

Gilbert

Rasmussen

Winslow

Hager

Bulger

Conference Committee

on Senate Bill No. 363

Report No. 1, April 15, 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 363 met and considered:

House Judiciary Committee amendments to Senate Bill No. 363, dated March 27, 1987.

We recommend as follows:

That Senate Bill No. 363, reference copy, be amended as follows:

1. Page 1, line 13.

Following: "i,"

Insert: "i."

2. Page 2, line 1.

Following: "~~(B)~~"

Insert: "(a) (i) the amount of money necessary to pay current installments of child support as they become due and payable; plus

(ii) the amount of money which, when deducted in equal amounts each payday, will pay off all outstanding child support payments delinquent within 2 years; or

(b)"

3. Page 2, line 5.

Following: "AMOUNT"

Insert: "if the sum provided in subsection (1)(a) exceeds that amount"

And that this Conference Committee report be adopted.

For the Senate:

Jacobson, Chairperson
Halligan
Bishop

For the House:

Cobb
Giacometto
Darko

Conference Committee
on Senate Bill No. 371
Report No. 1, April 14, 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 371 met and considered:

House Business and Labor Committee amendments to Senate Bill No. 371, dated March 26, 1987.

We recommend as follows:

That Senate Bill No. 371, reference copy, be amended as follows:

1. Page 6, line 20.

Following: "REIMBURSED."

Insert: "The commissioner shall review differences between copayments, deductibles, and other cost-sharing arrangements."

And that this Conference Committee report be adopted.

For the Senate:

Regan, Chairperson
Bengtson
Harding

For the House:

Kitselman
Thomas
J. Brown

MOTIONS

Representative Hannah moved that consideration of SB 228 on second reading be passed for the day. Motion carried. (52-40)

Representative Hannah moved that consideration of Senate amendments to HB 904 be passed for the day. Motion carried.

Representative Winslow moved that HB 891, the bill appropriating coal tax money, be taken from the table in the Committee on Appropriations and printed and placed on second reading. After debate, Representative Gould moved the previous question. Motion carried. The Winslow motion carried. (51-47)

Representatives Cohen, Miles, and Strizich present at this time.

Representative Raney moved that HB 138, the homeowner's property tax relief bill, be taken from the table in the Committee on Taxation and printed and placed on second reading. After debate, Representative Devlin moved the previous question. Motion carried. The Raney motion failed. (44-55)

Representative Nathe moved that the conference committee on Senate amendments to HB 611 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate. Motion carried.

The Speaker appointed the same conferees, Representatives Nathe, Thoft, and D. Brown to the free conference committee on HB 611.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Connelly in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 8 - Representative Sands moved that SJR 8 be concurred in. Representative Marks made a substitute motion that SJR 8, third reading copy, be amended as follows:

1. Page 3, line 7.

Following: "treatment"

Insert: ", by the board of visitors or a similar body appointed for the purpose,"

2. Page 3, line 17.

Following: "individuals;"

Strike: "and"

3. Page 3, line 20.

Following: "disabilities"

Insert: "; and

(9) that the highest priority with regard to the provision of programs for the developmentally disabled is to appropriately serve all the developmentally disabled in the state, especially the unserved and underserved citizens"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Hansen, Vincent.

Total 2

Excused: Manuel.

Total 1

Absent or not voting: D. Brown, Connelly, Koehnke, O'Connell, Rapp-Svrcek.

Total 5

SJR 8, as amended, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Cody, Giacometto, Hansen, Lory, Raney, Simon.

Total 6

Excused: Manuel.

Total 1

Absent or not voting: Connelly, Hannah, Mercer, O'Connell.

Total 4

HB 870 - Representative Harper moved that Senate amendments to HB 870 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Meyers, Patterson.

Total 2

Excused: Manuel.

Total 1

Absent or not voting: Connelly, O'Connell, Rapp-Svrcek, Thomas.

Total 4

HB 163 - Representative Mercer moved that the conference committee report on HB 163 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford,

Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 93

Noes: D. Brown, Driscoll, Whalen.

Total 3

Excused: Manuel.

Total 1

Absent or not voting: McCormick, O'Connell, Mr. Speaker.

Total 3

HB 837 - Representative Jenkins moved that the conference committee report on HB 837 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 97

Noes: None.

Total 0

Excused: Manuel.

Total 1

Absent or not voting: O'Connell, Mr. Speaker.

Total 2

SB 256 - Representative Russell moved that the conference committee report on SB 256 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 98

Noes: None.

Total 0

Excused: Manuel.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

HB 623 - Representative Harrington moved that the Governor's amendments to HB 623 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Manuel.

Total 1

Absent or not voting: None.

Total 0

HB 658 - Representative Menahan moved that the Governor's amendments to HB 658 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Giacometto, Hannah, Meyers.

Total 3

Excused: Manuel.

Total 1

Absent or not voting: Quilici.

Total 1

SB 103 - Representative Brandewie moved that the Governor's amendments to SB 103 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Menahan,

Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Hannah, McCormick.

Total 2

Excused: Manuel.

Total 1

Absent or not voting: None.

Total 0

SB 118 - Representative Glaser moved that the Governor's amendments to SB 118 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Hannah, Patterson.

Total 2

Excused: Manuel.

Total 1

Absent or not voting: Cohen.

Total 1

SB 279 - Representative Fritz moved that the Governor's amendments to SB 279 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Giacometto, Hannah.

Total 2

Excused: Manuel.

Total 1

Absent or not voting: None.

Total 0

HJR 51 - Representative Winslow moved that HJR 51 be placed at the bottom of the second reading board for amendment. Motion carried.

HJR 54 - Representative Bradley moved that HJR 54 do pass. Motion carried as follows:

Ayes: Addy, Bachini, Bardanoue, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Campbell, Giacometto, Grinde, Hayne, Meyers.

Total 5

Excused: Manuel.

Total 1

Absent or not voting: Asay, Hoffman.

Total 2

HB 2 - Representative Donaldson moved that Senate amendments to HB 2 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanoue, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 80

Noes: D. Brown, Bulger, Cohen, Daily, DeMars, Driscoll, Fritz, Hansen, Harrington, Kennerly, Koehnke, Menahan, Nisbet, Pavlovich, Ream, Russell, Squires, Strizich, Whalen.

Total 19

Excused: Manuel.

Total 1

Absent or not voting: None.

Total 0

HB 599 - Representative Mercer moved that Senate amendments to HB 599 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 84

Noes: Campbell, Cody, Driscoll, Giacometto, Menke, Patterson, Poff, Sales, Smith, Whalen.

Total 10

Excused: Manuel.

Total 1

Absent or not voting: Daily, Grinde, Hannah, Hansen, Mr. Speaker.

Total 5

HB 325 - Representative Mercer moved that the conference committee report on HB 325 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Squires, Stang, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Campbell, Giacometto, Glaser, Raney, Rapp-Svrcek, Sales, Spaeth, Stratford, Swysgood, Whalen.

Total 10

Excused: Manuel.

Total 1

Absent or not voting: None.

Total 0

HJR 51 - Representative Winslow moved that consideration of HJR 51 be passed for the day because the amendment is not prepared yet. Motion carried.

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Connelly moved the adoption of the committee report. Report adopted. (88-9)

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

4/14/87

HB 361, introduced by Ramirez

HB 436, introduced by Ramirez

HB 656, introduced by Grady

HB 848, introduced by Stang

HB 880, introduced by Winslow

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/14/87

HB 233, introduced by Bardanouve

HB 703, introduced by Gilbert

HB 726, introduced by Spaeth

HB 743, introduced by Sales

HB 754, introduced by Bradley

HB 776, introduced by Nathe

HB 816, introduced by Asay

HB 867, introduced by Vincent

HB 884, introduced by C. Smith

HB 906, introduced by Ramirez

House bills not concurred in and returned to the House: 4/14/87

HB 496, introduced by Bradley

HB 593, introduced by J. Brown

HB 855, introduced by Vincent

HB 862, introduced by Winslow

HB 894, introduced by Thoft

HB 903, introduced by Grinde

House bill concurred in as amended, with statement of intent added, and returned to the House for concurrence in the statement of intent and Senate amendments: 4/14/87

HB 863, introduced by Wallin

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 327 and HB 460. Motion carried.

The Speaker appointed Representatives Grinde, Gilbert, and Bulger to the conference committee on Senate amendments to HB 327.

The Speaker appointed Representatives Eudaily, Winslow, and Keenan to the conference committee on Senate amendments to HB 460.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 9:00 a.m., April 16, 1987.

Motion carried.

House adjourned at 2:56 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-FIFTH LEGISLATIVE DAY

Helena, Montana
April 16, 1987

House Chambers
State Capitol

House convened at 9:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Ramirez, and Schye, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-fourth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/16/87

Correctly printed: HB 891, HJR 56, HJR 57, HJR 58.

Correctly engrossed: HJR 54, SJR 8.

Correctly enrolled: HB 84, HB 397, HB 526, HB 621, HB 656, HB 849, HB 871, HB 873, HB 887, HB 896, HJR 44.

Examined by the sponsor and found to be correct:

HB 84 - Winslow

HB 871 - Miller

HB 397 - Spaeth

HB 873 - Hannah

HB 526 - Grady

HB 887 - Asay

HB 621 - Quilici

HB 896 - Mercer

HB 656 - Grady

HJR 44 - Pavlovich

HB 849 - Quilici

Signed by the Speaker at 3:30 p.m., 4/15/87: HB 39, HB 787, HB 878, HB 888, HB 901.

Signed by the Speaker at 10:10 a.m.: HB 896.

Delivered to the Governor for his approval at 10:37 a.m.: HB 39, HB 787, HB 878, HB 888, HB 896, HB 901.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/15/87

HJR 45, introduced by Winslow

HJR 48, introduced by Spaeth

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/15/87

HB 377, introduced by Ramirez

Governor's amendments to House bills concurred in and returned to the House: 4/15/87

HB 455, introduced by Miles

HB 532, introduced by Poulsen

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in Governor's amendments: 4/15/87

SB 170, introduced by Rasmussen

House bills indefinitely postponed and returned to the House: 4/15/87

HB 38, introduced by Pavlovich

HB 782, introduced by Sands

The Senate, on 4/14/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 583.

The President appointed the following members:

Senator B. Brown, Chairman
Senator Walker
Senator Manning

Conference committee reports adopted:

4/15/87

HB 325, free conference committee report

SB 256, free conference committee report

The Senate, on 4/15/87, failed to concur in House amendments to SB 48 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SB 48.

The President appointed the following members:

Senator Halligan, Chairman
Senator Mazurek
Senator Crippen

The Senate, on 4/15/87, failed to concur in House amendments to SB 64 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SB 64.

The President appointed the following members:

Senator Halligan, Chairman
Senator B. Brown
Senator McCallum

The Senate, on 4/15/87, dissolved the conference committee on Senate amendments to HB 611 and appointed a free conference committee to meet with a like committee from the House to confer on HB 611.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Jergeson
Senator Hammond

House amendments to Senate bills concurred in:

4/15/87

SB 44, introduced by Farrell

SB 272, introduced by Lynch

SB 325, introduced by McCallum

SB 337, introduced by Manning

SB 383, introduced by Gage

SB 389, introduced by McCallum

The Senate, on 4/16/87, failed to concur in House amendments to SJR 14 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SJR 14.

The President appointed the following members:

Senator Yellowtail, Chairman
Senator Gage
Senator Eck

The Senate, on 4/16/87, failed to concur in House amendments to SB 340 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 340.

The President appointed the following members:

Senator Severson, Chairman
Senator Hirsch
Senator Hager

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 2. Motion carried.

The Speaker appointed Representatives Thoft, Rehberg, and Spaeth to the free conference committee on HB 2.

Representative Hannah moved that consideration of HB 891 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of SB 228 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 904 on second reading be passed for the day, because the pieces of legislation need to await the outcome of negotiations on HB 2. Motion carried.

Party caucuses were announced by party leaders.

Representative Hannah moved that the House stand in recess until 9:50 a.m. Motion carried.

House recessed at 9:20 a.m.

House reconvened at 10:30 a.m.

Mr. Speaker in the Chair.

Representatives Cobb, Gould, Harp, Lory, Spaeth, and Winslow excused at this time.

Representatives D. Brown and Ramirez present at this time.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 15, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 534 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 15, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 73, 78, 152, 166, 167, 170, 171, 179, 211, 284, 300, 302, 309, 322, 340, 344, 387, 409, 426, 534, and 795 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 16, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 5, 6, 7, 207, 219, 283, 356, 393, 417, 437, 462, 470, 478, 486, 495, 851, 868, and 876 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 16, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 896 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 16, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 570, "AN ACT PROVIDING THAT IF AN ALL-BEVERAGES LICENSE IS USED AT A GOLF COURSE OR A PUBLICLY OWNED GOLF COURSE BEER AND WINE LICENSE IS ISSUED, THE ALCOHOLIC

BEVERAGES MAY BE SOLD BY THE LICENSEE FROM A PORTABLE DEVICE AS WELL AS AT THE GOLF COURSE CLUBHOUSE AND CONSUMED AT ANY PLACE WITHIN THE BOUNDARIES OF THE GOLF COURSE; AND AMENDING SECTION 16-3-302, MCA,” with the attached amendments for the following reasons.

House Bill No. 570, as passed, contains no effective date and would therefore become effective on October 1, 1987, after the 1987 golf season. Representatives Brandewie and Grady have requested me to return the bill with an amendment for an immediate effective date so that it applies to the 1987 golf season. My amendments make House Bill No. 570 effective upon passage and approval.

Governor's Proposed Amendments
to HB 570

1. Title, line 10.

Following: “COURSE;”

Strike: “AND”

Following: “MCA”

Insert: “; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE”

2. Page 2.

Following: line 13

Insert: “NEW SECTION. Section 3. Effective date. This act is effective on passage and approval.”

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative O’Connell moved that the House override the Governor’s veto on HB 519. After considerable debate, Representative Mercer moved the previous question. Motion carried. The motion to override the veto failed to get the necessary two-thirds majority as follows:

Ayes: Asay, Bachini, Brandewie, D. Brown, Campbell, Compton, Daily, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O’Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 61

Noes: Addy, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Connelly, Corne’, Darko, DeMars, Driscoll, Fritz, Grady, Hansen, Harper, Holliday, Kadas, Keenan, Kennerly, Menahan, Miles, Moore, Nisbet, Peck, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 37

Paired: Gould, Hannah, Lory, Manuel, Mercer, Pavlovich, Poff, Quilici, Thomas, Winslow, Ayes; Addy, Harper, Keenan, Schye, Spaeth, Noes.

Excused: Cobb, Harp.

Total 2

Absent or not voting: None.

Total 0

Representatives Cobb, Gould, Harp, and Lory present at this time.

Representative Ramirez moved that the rules be suspended to allow the late drafting and introduction of a resolution asking the Department of Natural Resources to study the off-site storage of water. Motion carried.

Representative Hannah moved that the Speaker be authorized to appoint free conference committees to meet with like committees from the Senate to confer on SB 48 and SB 64. Motion carried.

The Speaker appointed Representatives Lory, Keller, and Addy to the free conference committee on SB 48.

The Speaker appointed Representatives Asay, Ramirez, and Ream to the free conference committee on SB 64.

Representative Vincent moved that HB 701 be taken from the table in the Committee on Taxation and printed and placed on second reading on the 86th legislative day. This bill deals with limiting property tax liability for certain Montanans. After debate, Representative Simon moved the previous question. Motion carried. The Vincent motion failed. (47-51)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Roth in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 51 - In the absence of Representative Winslow, Representative Cobb moved that HJR 51, second reading copy, be amended as follows:

1. Title, lines 5 through 8.

Following: "URGING THE" on line 2

Strike: remainder of title

Insert: "JOB TRAINING COORDINATING COUNCIL TO DEVELOP STATEWIDE GOALS WHICH WILL GIVE A HIGH PRIORITY TO CHRONICALLY UNEMPLOYED WORKERS THROUGH THE JOB TRAINING PARTNERSHIP ACT."

2. Page 1, line 10.

Strike: "Private Industry Councils of Montana"

Insert: "Job Training Coordinating Council"

3. Page 1, lines 12 through 15.

Following: "97-300,"

Strike: remainder of line 12 through 15

Insert: "has been granted authority to recommend a Governor's coordination and special services plan; and"

4. Page 1, line 21.

Strike: "the highest"

Insert: "a high"

5. Page 2, lines 7 through 20.

Strike: sections 1 through 5 in their entirety

Insert: "Beginning with the fiscal year 1989 planning cycle, the Job Training Coordinating Council shall develop a Governor's coordination and special services plan for purposes of ensuring:

- (1) that service to chronically unemployed workers be given a high priority in each service delivery area's job training plan;
- (2) that targeted populations are identified in each service delivery area's job training plan developed in coordination with chief elected officials;
- (3) that each service delivery area's job training plan includes clear goals and measurable objectives;
- (4) that each service delivery area gives proper consideration to awarding funds to program operators based on performance success, recognizing quality and not quantity placement; and
- (5) that each service delivery area be assessed on the criteria of retention in employment with the long-term goal of using retention in employment as part of the basis for awarding incentive funds to service delivery areas."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 92

Noes: None.

Total 0

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Hannah, O'Connell, Rapp-Svrcek, Rehberg, Mr. Speaker.

Total 5

Representative Cobb moved that HJR 51, as amended, do pass.
Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams.

Total 81

Noes: Bachini, Cody, Driscoll, Giacometto, Hansen, Harper, Hoffman, McCormick, Nisbet, Pavlovich, Squires, Whalen.

Total 12

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Hannah, Lory, Rehberg, Mr. Speaker.

Total 4

HJR 56 - Representative Gilbert moved that HJR 56 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 90

Noes: Giacometto, Patterson.

Total 2

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Grady, Hannah, Lory, Rehberg, Mr. Speaker.

Total 5

HB 666 - Representative Ramirez moved that Senate amendments to HB 666 be placed at the bottom of the second reading board. Motion carried.

HB 861 - Representative Addy moved that Senate amendments to HB 861 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Simon, Smith, Squires, Stang, Stratford, Strizich, Vincent, Whalen, Williams.

Total 70

Noes: Brandewie, Campbell, Cody, Giacometto, Gilbert, Glaser, Grinde, Harp, Jenkins, Jones, Kitselman, Manuel, Menke, Nelson, Peterson, Roth, Sales, Sands, Swift, Switzer, Swysgood, Thomas, Wallin.

Total 23

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: DeMars, Rehberg, Thoft, Mr. Speaker.

Total 4

SB 170 - Representative Bulger moved that the Governor's amendments to SB 170 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Cohen, Koehnke, Wallin.

Total 3

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: None.

Total 0

HB 752 - Representative Cobb moved that consideration of the conference committee report on HB 752 be passed for the day because Representative Winslow is excused. Motion carried.

HB 697 - Representative Connelly moved that the conference committee report on HB 697 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 93

Noes: None.

Total 0

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Bardanouve, Hannah, Smith, Mr. Speaker.

Total 4

SB 371 - Representative Kitselman moved that the conference committee report on SB 371 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen,

Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Stratford.

Total 1

HB 666 - Representative Ramirez moved that Senate amendments to HB 666 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Roth moved the adoption of the committee report. Report adopted. (89-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 54 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 92

Noes: Campbell, Giacometto, Glaser, Grinde.

Total 4

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Meyers.

Total 1

HB 599, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Compton, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 79

Noes: Campbell, Cody, Cohen, DeMars, Driscoll, Giacometto, Glaser, Grinde, Harp, Kadas, Koehnke, Menke, Patterson, Peck, Poff, Sales, Switzer, Whalen.

Total 18

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: None.

Total 0

HB 870, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: None.

Total 0

HB 163, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Mr. Speaker.

Total 91

Noes: Campbell, Driscoll, Glaser, Harp, Nathe, Whalen.

Total 6

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: None.

Total 0

HB 325, free conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Squires, Stang, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Williams, Mr. Speaker.

Total 78

Noes: Asay, D. Brown, Campbell, Cobb, Compton, Devlin, Giacometto, Glaser, Grinde, Harp, Nathe, Raney, Rapp-Svrcek, Sales, Stratford, Switzer, Wallin, Whalen.

Total 18

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Ellison.

Total 1

HB 837, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck,

Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 96

Noes: Grinde.

Total 1

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: None.

Total 0

SB 256, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 93

Noes: Giacometto, Hannah, Meyers.

Total 3

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Hayne.

Total 1

HB 623, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 89

Noes: Campbell, Giacometto, Glaser, Grinde, Hannah, Menke, Switzer.

Total 7

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Bulger.

Total 1

HB 658, Governor's amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 94

Noes: Hoffman, Meyers.

Total 2

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: Asay.

Total 1

SB 103, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 96

Noes: Hannah.

Total 1

Excused: Schye, Spaeth, Winslow.

Total 3

Absent or not voting: None.

Total 0

SB 118, Governor's amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift,

Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 91

Noes: Asay, Campbell, Giacometto, Glaser, Hannah, Nathe.
Total 6

Excused: Schye, Spaeth, Winslow.
Total 3

Absent or not voting: None.
Total 0

SB 279, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Mr. Speaker.
Total 95

Noes: Hannah, Nathe.
Total 2

Excused: Schye, Spaeth, Winslow.
Total 3

Absent or not voting: None.
Total 0

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill No. 102
Report No. 1, April 14, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 102 met and considered:

Senate Taxation Committee amendments to the third reading copy, dated March 27, 1987.

We recommend as follows:

That House Bill No. 102, reference copy, be amended as follows:

1. Page 4, line 14.

Following: "SOURCE"

Insert: " , or by an amount of not less than \$150,000 for first class counties, as defined in 7-1-2111, with a population greater than 40,000 or \$100,000 for first class counties with a population not greater than 40,000"

And that this Conference Committee report be adopted.

For the Senate:

Story, Chairman
Lybeck
Beck

For the House:

Grady
Holliday
Swysgood

Conference Committee
on House Bill No. 256
Report No. 1, April 15, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 256 met and considered:

Senate amendments to House Bill No. 256, third reading copy, dated March 17, 1987 (8:00).

We recommend as follows:

That Senate amendments to House Bill No. 256 be concurred in.

And that this Conference Committee report be adopted.

For the Senate:

Pinsonneault, Chairman
Mazurek
Beck

For the House:

Sales
Campbell
Pistoria

Free Conference Committee
on House Bill No. 442
Report No. 1, April 16, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 442 met and considered:

House Bill No. 442 in its entirety.

We recommend as follows:

That House Bill No. 442, reference copy, be amended as follows:

1. Title, line 8.

Following: "~~DAMAGES;~~"

Insert: "PERMITTING INSURANCE COVERAGE OF PUNITIVE DAMAGES;"

2. Page 3, lines 3 through 5.

Following: "he" on line 3

Strike: remainder of line 3 through "(B)" on line 5

3. Page 3, line 8.

Strike: "(I)"

Insert: "(a)"

4. Page 3, line 11.

Strike: "(II)"

Insert: "(b)"

5. Page 3, lines 13 through 15.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

6. Page 5, line 18.

Following: "H"

Insert: "Evidence regarding a defendant's financial affairs, financial condition, and net worth is not admissible in a trial to determine whether a defendant is liable for punitive damages."

7. Page 5, line 19.

Following: "verdict"

Strike: "or"

Following: "finding"

Strike: "of liability"

Insert: "a defendant liable"

8. Page 5, line 20.

Following: "amount"

Strike: "thereof"

Insert: "of punitive damages"

Following: "must"

Insert: "then"

Following: "determined"

Strike: "exclusively"

9. Page 5, line 21.

Following: "JURY"

Insert: "in an immediate, separate proceeding"

10. Page 5, line 23.

Strike: "(8)(C)."

Insert: "(7)(c). In the separate proceeding to determine the amount of punitive damages to be awarded, the defendant's financial affairs, financial condition, and net worth must be considered."

11. Page 7, line 5.

Strike: "(8)(B)"

Insert: "(7)(b)"

12. Page 7, line 8.

Following: "INCREASING"

Strike: "OR"

Insert: ","

Following: "DECREASING"

Insert: ", or not increasing or decreasing"

13. Page 7, line 11.

Strike: "(8)(B)"

Insert: "(7)(b)"

14. Page 7, lines 12 through 17.

Strike: subsection (9) in its entirety

Insert: "(8) Nothing in this section is intended to alter the Montana Rules of Civil Procedure governing discovery of a defendant's financial affairs, financial condition, and net worth."

15. Page 7.

Following: line 22

Insert: "NEW SECTION. Section 3. Insurance coverage of punitive damages. (1) Insurance coverage does not extend to punitive or exemplary damages unless expressly included by the contract of insurance.

(2) Prior to renewal of any policy in effect on [the effective date of this act], the insurer shall provide the insured with notice of non-renewal of coverage of punitive or exemplary damages in the same

manner as required by the commissioner of insurance for the renewal of policies with altered terms."

Renumber: subsequent sections

16. Page 8, line 14.

Strike: "(7), (8), AND (9)"

Insert: "(6), (7), and (8)"

And that this Free Conference Committee report be adopted.

For the Senate:

Halligan, Chairman
Crippen
Galt

For the House:

Mercer
Eudaily
Addy

Conference Committee
on House Bill No. 459
Report No. 1, April 15, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 459 met and considered:

Senate amendments to House Bill No. 459, third reading copy, dated March 24, 1987.

We recommend as follows:

That Senate amendments to House Bill No. 459 be concurred in.

And that this Conference Committee report be adopted.

For the Senate:

Lynch, Chairman
Kolstad
Farrell

For the House:

Phillips
Roth
Keenan

Free Conference Committee
on House Bill No. 567
Report No. 1, April 16, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 567 met and considered:

House Bill No. 567 in its entirety.

We recommend as follows:

That House Bill No. 567, reference copy, be amended as follows:

1. Page 5, line 16.

Strike: "\$100,000"

Insert: "\$50,000"

2. Page 5, line 17.

Following: "DAMAGES,"

Insert: "exclusive of court costs and attorney fees,"

3. Page 5, line 21.

Following: "(1),"

Insert: "the following amounts must be deducted from the amount of the insurance policy payment:

(a)”

4. Page 5, line 22.

Following: “PAID”

Insert: “for the 5 years prior to the date of injury;

(b) the amount the plaintiff paid from date of injury to date of judgment;”

5. Page 5, line 22.

Following: “AND”

Insert: “(c) the present value of the amount the plaintiff”

6. Page 5, line 22.

Following: “IS”

Insert: “thereafter”

7. Page 5, lines 23 and 24.

Following: “FORCE” on line 23

Strike: remainder of line 23 through “PAYMENT” on line 24

Insert: “for the period for which any reduction of an award is made pursuant to subsection (3)”

And that this Free Conference Committee report be adopted.

For the Senate:

Halligan, Chairman
Bishop
Mazurek

For the House:

Ramirez
Hannah
Miles

Free Conference Committee
on House Bill No. 583
Report No. 1, April 16, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 583 met and considered:

House Bill No. 583 in its entirety.

We recommend as follows:

That House Bill No. 583, reference copy, be amended as follows:

1. Page 7, line 13.

Following: “effective”

Strike: “on passage and approval”

Insert: “July 1, 1987”

And that this Free Conference Committee report be adopted.

For the Senate:

B. Brown, Chairman
Manning
Walker

For the House:

Donaldson
Quilici
Sands

Free Conference Committee
on House Bill No. 586
Report No. 1, April 15, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 586 met and considered:

House Bill 586 in its entirety.

We recommend as follows:

That House Bill No. 586, reference copy, be amended as follows:

1. Statement of intent, line 10.

Following: "e.g."

Strike: "grocery stores or"

Insert: ",

2. Page 2, line 3.

Strike: "32 CENTS"

Insert: "1 cent"

3. Page 2, line 7.

Following: "PAID."

Insert: "The department shall deposit the tax paid under this section in the general fund."

And that this Free Conference Committee report be adopted.

For the Senate:

Williams, Chairman

Manning

Hager

For the House:

Gould

Grinde

Pavlovich

Free Conference Committee

on House Bill No. 796

Report No. 2, April 13, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 796 met and considered:

House Bill No. 796 in its entirety, reference copy, including Senate amendments, dated March 20, 1987, and March 25, 1987.

We recommend as follows:

That House Bill No. 796, reference copy, be amended as follows:

1. Senate Standing Committee amendment, dated 3/20/87.

Strike: amendment in its entirety

2. Senate Committee of the Whole amendments, dated 3/25/87 (11:45).

Strike: amendments in their entirety

3. Title, line 9.

Following: "PROVIDING"

Insert: "AN"

Strike: "DATES"

Insert: "DATE"

4. Page 3, line 7.

Strike: "10"

Insert: "15"

5. Page 3, line 8.

Strike: "UNLESS OTHERWISE DETERMINED BY"

Insert: ". A"

6. Page 3, line 9.

Strike: "BUT NO MORE THAN 10"

Insert: "however, may restrict the number of licensed machines available for play in an establishment to less than 15"

7. Page 3, line 16.

Following: "(4)" (renumbered)

Strike: "An"

Insert: "(a) Except as provided in subsection (4)(b), and"

8. Page 3, line 23.

Strike: "UNLESS OTHERWISE DETERMINED BY"

Insert: "."

(b) A"

9. Page 3.

Strike: "BUT THE" through "16-3-304" on line 25

Insert: "may establish any hours of play for bingo machines that it determines proper"

10. Page 4, line 3.

Following: ".""

Insert: "(1)"

11. Page 4, line 9.

Strike: "and"

Insert: "."

(2) Except as provided in subsection (3),"

12. Page 4, line 13.

Strike: "UNLESS" through "BODY" on line 14

13. Page 4, line 14.

Following: ".""

Insert: "(3) A local governing body may establish any hours of play for video draw poker machines that it determines proper.

(4)"

14. Page 4, line 22.

Strike: "DATES"

Insert: "date"

15. Page 4, line 24.

Strike: "on passage and approval"

Insert: "December 31, 1988"

And that this Free Conference Committee report be adopted.

For the Senate:

Lynch, Chairman
Crippen
McLane

For the House:

Driscoll
Gould
Mercer

Conference Committee
on Senate Bill No. 219
Report No. 1, April 15, 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 219 met and considered:

1. House Fish and Game Committee amendments to the third reading copy, dated March 13, 1987; and

2. House Committee of the Whole amendments to the third reading copy, dated March 18, 1987.

We recommend as follows:

That House Bill No. 219, reference copy, be amended as follows:

1. Page 2, lines 5 and 6.

Following: "section"

Strike: remainder of line 5 through "LAND" on line 6

2. Page 2, line 8.

Following: "him"

Insert: "to hunt elk on land owned by him"

3. Page 4, lines 7 and 8.

Following: "section"

Strike: remainder of line 7 through "land" on line 8

And that this Conference Committee report be adopted.

For the Senate:

Meyer, Chairman

Smith

Yellowtail

For the House:

Phillips

Patterson

DeMars

Conference Committee
on Senate Bill No. 298
Report No. 1, April 15, 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 298 met and considered:

House Business and Labor Committee amendments to Senate Bill No. 298, dated March 20, 1987.

We recommend as follows:

That Senate Bill No. 298, reference copy, be amended as follows:

1. Page 3, line 5 through page 4, line 11.

Strike: section 2 in its entirety

Renummer: subsequent sections

2. Page 25, line 6.

Strike: "SECTIONS"

Insert: "Section"

Strike: "AND 2 ARE"

Insert: "is"

3. Page 25, line 9.

Strike: "SECTIONS"

Insert: "section"

Strike: "AND 2"

And that this Conference Committee report be adopted.

For the Senate:

Neuman, Chairman

For the House:

Kitselman

Farrell
Williams

Glaser
Bardanouve

Conference Committee
on Senate Bill No. 331
Report No. 1, April 15, 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 331 met and considered:

Senate Bill No. 331, reference copy, House Committee of the Whole amendments, dated March 27, 1987, and House Fish and Game Standing Committee amendments, dated March 18, 1987.

We recommend as follows:

1. Title, line 10.

Strike: "AND"

Insert: " , "

2. Title, line 11.

Following: "87-2-711,"

Insert: "87-2-505, AND 87-2-711,"

3. Page 1, line 21.

Strike: "AND"

4. Page 1, line 22.

Following: "23;"

Insert: " , "

(3) Class AAA, Sportsman's, \$2; and

(4) Class B-10, nonresident big game combination, \$23."

5. Page 5.

Following: line 12

Insert: "Section 7. Section 87-2-505, MCA, is amended to read:

"87-2-505. Class B-10 — nonresident big game combination license. Except as otherwise provided in this chapter, a person not a resident, as defined in 87-2-102, but who will be 12 years of age or older prior to September 15 of the season for which the license is issued may, upon payment of the fee of ~~\$350~~ \$373 and subject to the limitations prescribed by law and department regulation, apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game combination license which shall entitle the holder to all the privileges of Class B, Class B-1, Class B-7, and black bear licenses, and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than 17,000 Class B-10 licenses may be sold in any one license year."

Section 8. Section 87-2-711, MCA, is amended to read:

"87-2-711. Class AAA—sportsman's license. Any resident, as defined by 87-2-102, who will be 12 years of age or older prior to September 15 of the season for which the license is issued, upon payment of the sum of ~~\$36~~ \$38, shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to holders of Class A, A-1, A-3, A-5, A-6, and resident conservation licenses as prescribed in 87-2-202. The department shall furnish each holder of a sportsman's license an appropriate decal."

6. Page 6, lines 2 through 8.

Strike: subsection (2) in its entirety

7. Page 6.

Following: line 8

Insert: "(2) If House Bill No. 526 and the provisions therein increasing the costs of the Class B-10 and Class AAA sportsmen's licenses are passed and approved:

(A) \$23 of the \$100 increase of the cost of Class B-10 license shall be used for the pheasant enhancement program; and

(B) \$2 of the \$9 increase of the cost of the Class AAA sportsmen's license shall be used for the pheasant enhancement program."

And that this Conference Committee report be adopted.

For the Senate:

Smith, Chairman
Severson
Yellowtail

For the House:

Ellison
Bulger
Keller

Conference Committee
on Senate Bill No. 360
Report No. 1, April 16 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 360 met and considered:

House Committee of the Whole amendment, dated March 28, 1987.

We recommend as follows:

That House amendment to Senate Bill No. 360, reference copy, be concurred in.

And that this Conference Committee report be adopted.

For the Senate:

Bishop, Chairman
Halligan
Thayer

For the House:

Glaser
Swysgood
Spaeth

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 861. Motion carried.

The Speaker appointed Representatives Sands, Simon, and Addy to the conference committee on the Senate amendments to HB 861.

Representative Bardanouve moved that he be allowed to cast a no vote on the O'Connell motion to override the Governor's veto of HB 519 earlier this day. He did not realize his vote did not record until after the vote was announced. Motion carried.

Representative Hannah moved that the House stand in recess until 3:30 p.m. Motion carried.

House recessed at 12:00 noon.

House reconvened at 3:55 p.m.

Mr. Speaker in the Chair.

Representative Campbell excused at this time.

Representative Bulger moved that the conference committee on HB 327 be dissolved and that no new committee be appointed. The bill is being abandoned because there is no chance for agreement. Motion carried.

Representative D. Brown moved that the rules be suspended to accept SB 384 into the House for consideration. This is the bill for calculating metal mines' license taxes. Motion failed to get the necessary two-thirds vote. (55-41)

Representative Grady moved that the conference committee on Senate amendments to HB 102 be dissolved and that the Speaker be authorized to appoint the same members to a free conference committee on HB 102. This is the bill using a 50 cent vehicle fee to combat weeds. Motion carried.

The Speaker appointed the same conferees, Representatives Grady, Holliday, and Swysgood to the free conference committee on HB 102.

Representative Ramirez moved that consideration of HB 906 on second reading be passed until the 87th legislative day, because it is tied to the sales tax. Motion carried.

Representatives Campbell, Spaeth, and Winslow present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Roth in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 57 - Representative Fritz moved that HJR 57 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 92

Noes: Ellison, Lory.
Total 2

Excused: Schye.
Total 1

Absent or not voting: Hannah, Harp, Harper, Quilici, Mr. Speaker.
Total 5

HJR 58 - Representative Asay moved that HJR 58 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 86

Noes: Bachini, Bardanouve, Brandewie, Cody, Grady, Grinde, Peck, Stang, Switzer, Whalen.

Total 10

Excused: Schye.

Total 1

Absent or not voting: Ellison, Harp, Kennerly.

Total 3

HB 233 - Representative Bardanouve moved that Senate amendments to HB 233 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: Hannah, Harp, Nathe, Rapp-Svrcek.

Total 4

HB 703 - Representative Gilbert moved that Senate amendments to HB 703 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford,

Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 93

Noes: Nisbet.

Total 1

Excused: Schye.

Total 1

Absent or not voting: Cobb, Harp, Jones, Winslow, Mr. Speaker.

Total 5

HB 726 - Representative Spaeth moved that HB 726 be placed below HB 884 on the second reading board because he is cleaning off his desk right now. Motion carried.

HB 743 - Representative Sales moved that Senate amendments to HB 743 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hannah, Peck, Poulsen.

Total 3

Excused: Schye.

Total 1

Absent or not voting: Harp.

Total 1

HB 754 - Representative Bradley moved that Senate amendments to HB 754 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Cobb, Corne', Giacometto, Hannah, Hayne, Keller, Koehnke, O'Connell, Switzer, Swysgood, Thoft.

Total 12

Excused: Schye.

Total 1

Absent or not voting: Asay, Harp.

Total 2

HB 776 - Representative Nathe moved that Senate amendments to HB 776 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: Bardanouve, Harper, Nisbet, Raney, Thomas.

Total 5

Excused: Schye.

Total 1

Absent or not voting: Harp, Mr. Speaker.

Total 2

HB 816 - Representative Asay moved that Senate amendments to HB 816 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Brandewie, Cody, Keenan, Meyers, Peck, Raney.

Total 6

Excused: Schye.

Total 1

Absent or not voting: Harp.

Total 1

HB 863 - Representative Wallin moved that Senate amendments and the statement of intent be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily,

Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Cobb, Meyers.

Total 2

Excused: Schye.

Total 1

Absent or not voting: Harp, O'Connell, Spaeth.

Total 3

Representative Cobb excused at this time.

HB 867 - Representative Vincent moved that Senate amendments to HB 867 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Menke, Meyers.

Total 2

Excused: Cobb, Schye.

Total 2

Absent or not voting: Bardanouve, Harp.

Total 2

HB 884 - Representative Smith moved that Senate amendments to HB 884 be concurred in.

Representative Williams excused at this time.

Representative Marks made a substitute motion that Senate amendments to HB 884 be not concurred in. Motion failed. (46-52)

Senate amendments to HB 884 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan,

Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Peck, Peterson, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Smith, Spaeth, Squires, Stang, Strizich, Whalen, Williams, Mr. Speaker.

Total 54

Noes: Asay, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Hannah, Hayne, Hoffman, Iverson, Jenkins, Kitselman, Menke, Mercer, Meyers, Nathe, Patterson, Pavlovich, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow.

Total 44

Paired: Rapp-Svrcek, Williams, Ayes; Cobb, Ramirez, Noes.

Excused: Schye.

Total 1

Absent or not voting: Harp.

Total 1

HB 726 - Representative Hannah moved that consideration of HB 726 be passed for the day because Representative Spaeth still did not have his desk cleaned off. Representative Vincent made a substitute motion that consideration of HB 726 be passed until the 91st legislative day because it would take that long to bring order to Representative Spaeth's desk. Both motions failed.

HB 726 - Representative Spaeth moved that Senate amendments to HB 726 be concurred in. Motion failed. (44-50)

Representative Hannah moved that Senate amendments to HB 726 be not concurred in. Representative Spaeth made a substitute motion that consideration of Senate amendments to HB 726 be passed for the day. Motion carried.

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Roth moved the adoption of the committee report. Report adopted. (79-16)

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint conference committees to meet with like committees from the Senate to confer on Senate amendments to HB 233, House amendments to SB 340, and House amendments to SJR 14. Motion carried.

The Speaker appointed Representatives Phillips, Compton, and Bardanouve to the conference committee on Senate amendments to HB 233.

The Speaker appointed Representatives Switzer, Patterson, and Koehnke to the conference committee on House amendments to SB 340.

The Speaker appointed Representatives Ramirez, Wallin, and D. Brown to the conference committee on House amendments to SJR 14.

Representative Cobb present at this time.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 59, introduced by Ramirez, Hannah, Addy, M. Williams, Roth, Winslow, Driscoll, Sands. Referred to Committee on Natural Resources.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SJR 8 concurred in as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 83

Noes: Campbell, Cody, Giacometto, Nathe, Raney, Rapp-Svrcek, Simon.
Total 7

Excused: Schye, Williams.
Total 2

Absent or not voting: Bachini, Corne', Driscoll, Grady, Harp, Hoffman, Pavlovich, Switzer.
Total 8

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 10:00 a.m., April 17, 1987.

Motion carried.

House adjourned at 7:06 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-SIXTH LEGISLATIVE DAY

Helena, Montana
April 17, 1987

House Chambers
State Capitol

House convened at 10:20 a.m., Mr. Speaker in the Chair. Invocation by Reverend Andrew Potter of Gray Creek, B.C., Canada. Pledge of Allegiance to the Flag.

Roll call. All members present except Donaldson and Schye, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-fifth legislative day, find the same to be correct.

Hayne, Chairman

SPECIAL ORDERS OF THE DAY

Representative DeMars introduced Miss Esme' Hassinger, a sophomore at Denton High School, who entertained the members with "Concerto for Oboe" by Mozart. She was accompanied by her instructor Mary Richards of Great Falls. Miss Hassinger, who hopes to be a professional musician some day, received a standing ovation for her performance.

MOTIONS

Representative Hannah moved that the House stand in recess for caucuses and conference committees to meet subject to a call of the Chair. Motion carried.

House recessed at 10:35 a.m.

House reconvened at 12:40 p.m.

Mr. Speaker in the Chair.

Representatives Devlin and Poff excused at this time.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 102
Report No. 2, April 17, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 102 met and considered:

Senate Taxation amendments to the third reading copy, dated March 27, 1987.

We recommend as follows:

That House Bill No. 102, reference copy, be amended as follows:

1. Page 4, line 14.

Following: "SOURCE"

Insert: ", or by an amount of not less than 100,000 for first class counties, as defined in 7-1-2111"

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Van Valkenburg, Chairman
Lybeck
Beck

Grady
Holliday
Swysgood

Free Conference Committee
on House Bill No. 277
Report No. 2, April 16, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 277 met and considered:

House Bill No. 277 in its entirety.

We recommend as follows:

That House Bill No. 277, reference copy, be amended as follows:

1. Statement of intent, line 5.

Insert: "It is the intent of the legislature:

(1) that the proceeds of the license reinstatement fee be deposited in the general fund;

(2) that the amount of money collected in each county be recorded for each quarter; and

(3) that the legislature appropriate each quarter, from the general fund to the highway traffic safety division of the department of justice, an amount equal to the proceeds collected in fiscal 1988 and fiscal 1989 from the counties with a drinking and driving prevention program, for distribution to those counties."

2. Title, lines 10 and 11.

Strike: "AMENDING SECTION 17-7-502, MCA,"

3. Page 3, line 2.

Strike: "61-5-206,"

4. Page 3, line 9.

Following: "in"

Insert: "the general fund"

5. Page 3, line 11.

Strike: "A DRINKING" on line 11 through "TREASURY" on line 13

6. Page 3, line 15.

Strike: "(1)"

7. Page 3, line 21.

Strike: "PROPORTION OF THE"

8. Page 3, line 23.

Strike: "TOTAL COLLECTED FOR THE STATE TO THE"

9. Page 3, line 25 through line 6, page 5.

Following: "QUARTER."

Strike: "THE" on line 25 through "DRUGS." on page 5, line 6

10. Page 5, line 7.

Strike: "ALL MONEY" through "payments" on page 8, line 6

Insert: "There is appropriated from the general fund to the highway traffic safety division of the department of justice, for the biennium ending June 30, 1989, all money collected under section 2 from counties with a drinking and driving prevention program as provided in section 1, to be distributed as provided in section 3"

Renumber: subsequent sections

11. Page 1, line 14.

Page 2, line 22.

Page 3, line 14.

Page 5, line 7.

Page 8, lines 12 and 17.

Strike: "NEW SECTION."

12. Page 8, lines 13 and 16.

Strike: "4"

Insert: "3"

And that this Free Conference Committee report be adopted.

For the Senate:

Halligan, Chairman
Pinsonneault
Beck

For the House:

Rehberg
Donaldson
Connelly

Free Conference Committee
on Senate Bill No. 64
Report No. 1, April 16, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 64 met and considered:

Senate Bill No. 64 in its entirety.

We recommend as follows:

That Senate Bill No. 64, reference copy, be amended as follows:

1. Title, line 9.

Following: "15-6-135,"

Insert: "15-6-135,"

2. Page 3.

Following: line 22

Strike: subsection (7) in its entirety

3. Page 17.

Following: line 3

Insert: "Section 3. Section 15-6-135, MCA, is amended to read:

"15-6-135. Class five property — description — taxable percentage.

(1) Class five property includes:

(a) all property used and owned by cooperative rural electrical and cooperative rural telephone associations organized under the laws of Montana, except property owned by cooperative organizations described in subsection (1)(c) of 15-6-137;

(b) air and water pollution control equipment as defined in this section;

(c) new industrial property as defined in this section;

(d) any personal or real property used primarily in the production of gasohol during construction and for the first 3 years of its operation;

(e) all land and improvements and all personal property owned by a research and development firm, provided that the property is actively devoted to research and development.

(2) (a) "Air and water pollution equipment" means facilities, machinery, or equipment used to reduce or control water or atmospheric pollution or contamination by removing, reducing, altering, disposing, or storing pollutants, contaminants, wastes, or heat. The department of health and environmental sciences shall determine if such utilization is being made.

(b) The department of health and environmental sciences' determination as to air and water pollution equipment may be appealed to the board of health and environmental sciences and may not be appealed to either a county tax appeal board or the state tax appeal board. However, the appraised value of the equipment as determined by the department of revenue may be appealed to the county tax appeal board and the state tax appeal board.

(3) "New industrial property" means any new industrial plant, including land, buildings, machinery, and fixtures, used by new industries during the first 3 years of their operation. The property may not have been assessed within the state of Montana prior to July 1, 1961.

(4) (a) "New industry" means any person, corporation, firm, partnership, association, or other group that establishes a new plant in Montana for the operation of a new industrial endeavor, as distinguished from a mere expansion, reorganization, or merger of an existing industry.

(b) New industry includes only those industries that:

(i) manufacture, mill, mine, produce, process, or fabricate materials;

(ii) do similar work, employing capital and labor, in which materials unserviceable in their natural state are extracted, processed, or made fit for use or are substantially altered or treated so as to create commercial products or materials; or

(iii) engage in the mechanical or chemical transformation of materials or substances into new products in the manner defined as manufacturing in the 1972 Standard Industrial Classification Manual prepared by the United States office of management and budget.

(5) New industrial property does not include:

(a) property used by retail or wholesale merchants, commercial services of any type, agriculture, trades, or professions;

(b) a plant that will create adverse impact on existing state, county, or municipal services; or

(c) property used or employed in any industrial plant that has been in operation in this state for 3 years or longer.

(6) Class five property is taxed at 3% of its market value."

Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:

Halligan, Chairman

For the House:

Ream

B. Brown
McCallum

Ramirez
Asay

MESSAGES FROM THE OTHER HOUSE

The Senate, on 4/15/87, dissolved the conference committee on House amendments to SB 210.

House amendments to Senate bill concurred in: 4/16/87

SB 210, introduced by Keating

House bill indefinitely postponed and returned to the House: 4/16/87

HB 886, introduced by Winslow

The Senate, on 4/16/87, failed to concur in House amendments to SB 74 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SB 74.

The President appointed the following members:

Senator Mazurek, Chairman
Senator McCallum
Senator B. Brown

The Senate, on 4/16/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 277.

The President appointed the following members:

Senator Halligan, Chairman
Senator Beck
Senator Pinsoneault

MOTIONS

Representative Spaeth moved that Senate amendments to HB 754 be taken from third reading and placed back on second reading for a technical amendment. This is the water quality bill. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 51 passed as follows:

Ayes: Addy, Asay, Bardanoue, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Bachini, D. Brown, Cody, Driscoll, Giacometto, Nisbet, Pavlovich, Squires.

Total 8

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

HJR 56 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Giacometto.

Total 1

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: Hansen, Hoffman.

Total 2

HJR 57 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Ellison, Lory.

Total 2

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

HJR 58 passed as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman,

Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Bachini, Cody, Driscoll, Grinde, Menke, Stang, Switzer.

Total 7

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: Hansen.

Total 1

HB 666, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Cobb, Driscoll, Peck.

Total 3

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: Squires.

Total 1

HB 703, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 91

Noes: D. Brown, Cobb, Harp, Nisbet, Whalen.

Total 5

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

HB 743, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Hannah.

Total 1

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

HB 776, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bardanouve, Cody, Cohen, Hansen, Harp, Harper, Mercer, Nisbet, Raney, Squires, Whalen.

Total 11

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

HB 816, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen,

Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Bardanouve, Cody, Cohen, Peck, Raney, Whalen.

Total 6

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

HB 863, Senate amendments and statement of intent, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Bardanouve, Cobb, Ramirez.

Total 3

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

HB 884, Senate amendments, failed to be concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Grinde, Hanson, Harp, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nelson, Nisbet, Pavlovich, Peck, Peterson, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Smith, Spaeth, Squires, Stang, Strizich, Whalen, Williams.

Total 49

Noes: Asay, Bachini, J. Brown, Campbell, Cobb, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Hannah, Hansen, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 49

Paired: Jones, Keenan, Lory, Ayes; Devlin, Donaldson, Poff, Noes.

Excused: Schye.

Total 1

Absent or not voting: O'Connell.

Total 1

SB 170, Governor's amendments, concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Asay, Bachini, Koehnke, Ramirez, Sales, Wallin.

Total 6

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: Cohen, Harp.

Total 2

HB 697, conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Asay, Giacometto.

Total 2

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: None.

Total 0

SB 371, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth,

Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 94

Noes: Mr. Speaker.

Total 1

Excused: Devlin, Donaldson, Poff, Schye.

Total 4

Absent or not voting: Cohen.

Total 1

MOTIONS

Representative Hannah moved that consideration of SB 228 on second reading be passed for the day, because the Senate had not seen fit to appoint a free conference committee on HB 2. Motion carried. (52-47)

Representative Hannah moved that consideration of HB 891 be passed for the day for the same reason. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 904 be passed for the day for the same reason as above. Motion carried.

Representative Smith moved that the House reconsider its action in failing to concur in Senate amendments to HB 884 on third reading this day because Representative O'Connell had failed to vote. Motion carried. (54-42)

Representatives O'Connell and Peck excused at this time.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 60, introduced by Strizich, Manning, Stang, Nisbet, Harper, Driscoll, Pavlovich, D. Brown. Referred to Committee on Business and Labor.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 252 - Representative M. Hanson moved that the Governor's amendments to HB 252 be not concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen,

Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Addy, Bradley, Cobb, Cohen, Corne', Driscoll, Hansen, Harper, Harrington, Kadas, Kennerly, Miles, Ream, Whalen.

Total 14

Paired: Devlin, Donaldson, Ayes; Addy, Harper, Noes.

Excused: Connelly, Peck, Poff, Schye.

Total 4

Absent or not voting: Thomas.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted.

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 74. Motion carried.

The Speaker appointed Representatives Ellison, Hoffman, and Koehnke to the free conference committee on SB 74.

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 867. Motion carried.

The Speaker appointed Representatives Rehberg, Gould, and Vincent to the conference committee on Senate amendments to HB 867.

Representative Wallin moved that the rules be suspended to allow SB 388, Senator Boylan's bill to sell workers' compensation, into the House for consideration. The motion failed to get the necessary two-thirds vote as follows:

Ayes: Asay, Bradley, Brandewie, Bulger, Campbell, Cobb, Compton, Corne', Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Poulsen, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Vincent, Wallin, Winslow, Mr. Speaker.

Total 54

Noes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Cody, Cohen, Daily, Darko, DeMars, Driscoll, Glaser, Grady, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Quilici, Rapp-Svrcek, Ream, Russell, Spaeth, Squires, Stang, Strizich, Whalen, Williams.

Total 37

Excused: Connelly, Devlin, Donaldson, Peck, Poff, Schye.

Total 6

Absent or not voting: Koehnke, Pistoria, Thomas.

Total 3

Representative Smith moved that the House go to order of business no. 9 to reconsider HB 884. Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 884, Senate amendments, failed to be concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, Bulger, Cohen, Connelly, Daily, Darko, Driscoll, Fritz, Glaser, Grinde, Hansen, Harp, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Smith, Spaeth, Squires, Stang, Strizich, Whalen, Williams.

Total 49

Noes: Asay, Bachini, J. Brown, Campbell, Cobb, Cody, Compton, Corne', DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 50

Paired: Connelly, Jones, Keenan, Lory, Peck, Ayes; Devlin, Donaldson, Poff, Rehberg, Thomas, Noes.

Excused: Schye.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/17/87

Correctly engrossed: HJR 51, HJR 56, HJR 57, HJR 58.

Correctly enrolled: HB 275, HB 361, HB 532, HB 848, HJR 45, HJR 48.

Examined by the sponsor and found to be correct:

HB 275 - Rapp-Svrcek

HB 848 - Stang

HB 361 - Ramirez

HJR 45 - Winslow

HB 532 - Poulsen

HJR 48 - Spaeth

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Stephanie Fuhrman, Chinook

Brent Brandewie, Big Fork

John England, Great Falls

Dean Botz, Clancy

Troy Cody, Wolf Point

Marta Bertoglio, Deer Lodge

Michael Donally, Superior

Amy Christensen, Helena

Representative Hannah moved that the House adjourn until 1:00 p.m., April 20, 1987.

Motion carried.

House adjourned at 1:25 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
April 20, 1987

House Chambers
State Capitol

House convened at 1:23 p.m., Mr. Speaker in the Chair. Invocation by Representative Manuel. Pledge of Allegiance to the Flag.

Roll call. All members present except Addy, Menahan, and Ream, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-sixth legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 206
Report No. 1, April 17, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 206 met and considered:

House Bill No. 206 in its entirety.

We recommend as follows:

That House Bill No. 206, reference copy, be amended as follows:

1. Title, line 8.

Following: "OF"

Strike: "A \$1 BILL"

Insert: "BILLS NOT TO EXCEED \$5"

2. Page 3, line 5.

Strike: "\$1"

Following: "bills"

Insert: "not to exceed \$5"

And that this Free Conference Committee report be adopted.

For the Senate:

Boylan, Chairman
Stimatz
Rasmussen

For the House:

McCormick
Swysgood
Brandewie

Free Conference Committee
on House Bill No. 721
Report No. 1, April 16, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 721 met and considered:

1. Senate State Administration Committee amendments to the third reading copy, dated March 26, 1987; and

2. Senate Committee of the Whole amendments to the third reading copy, dated March 30, 1987.

We recommend as follows:

That House Bill No. 721, reference copy, be amended as follows:

1. Title, line 11.

Strike: "95"

Insert: "100"

2. Page 2, line 5.

Strike: "95"

Insert: "100"

3. Page 2, lines 8 through 10.

Following: "SESSION." on line 8

Strike: remainder of line 8 through "DAYS." on line 10

4. Page 2, line 15.

Following: "legislature"

Insert: ", except that legislation relating to revenue or appropriations may be considered if approved for introduction by a two-thirds vote of the members of each house of the legislature"

5. Page 2, lines 20 through 22.

Following: "legislature"

Strike: remainder of line 20 through "SUBJECT" on line 22

Insert: ", except that legislation not relating to revenue or appropriations may be considered if approved for introduction by a two-thirds vote of the members of each house of the legislature. No bill introduced in one session may be carried over to any other session of that legislature"

And that this Free Conference Committee report be adopted.

For the Senate:

Blaylock, Chairman

Story

Haffey

For the House:

Vincent

Thomas

Peterson

Free Conference Committee
on Senate Bill No. 74

Report No. 1, April 20, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 74 met and considered:

Senate Bill No. 74 in its entirety.

We recommend as follows:

That Senate Bill No. 74, reference copy, be amended as follows:

1. Page 6, line 12.

Strike: "THROUGH"

Insert: ", (2)(e),"

Following: "(2)(F)"

Insert: ", (2)(h), or (2)(i)"

2. Page 6, line 15.

Strike: "THROUGH"

Insert: ", (2)(e),"

Following: "(2)(F)"

Insert: “, (2)(h), or (2)(i)”

And that this Free Conference Committee report be adopted.

For the Senate:

Mazurek, Chairman
McCallum
B. Brown

For the House:

Ellison
Hoffman
Koehnke

Conference Committee
on Senate Bill No. 340
Report No. 1, April 17, 1987

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 340 met and considered:

1. House Taxation Committee amendments to the third reading copy, dated April 7, 1987; and
2. House Committee of the Whole amendments to the House Taxation Committee amendments and to the third reading copy, dated April 10, 1987.

We recommend as follows:

That Senate Bill No. 340, reference copy, be amended as follows:

1. Title.

Strike: line 10 in its entirety

Insert: “ELIMINATING AD VALOREM TAXES ON ALL
UNPROCESSED AGRICULTURAL PRODUCTS IN FARM”

2. Title, line 11.

Following: “POULTRY,”

Insert: “AND ON BEES, POULTRY,”

3. Title, lines 13 and 14.

Strike: “LESS” on line 13 through “AGE” on line 14

Insert: “, AND OTHER ANIMALS, AND WILDLIFE RAISED IN
DOMESTICATION OR IN A CAPTIVE ENVIRONMENT”

4. Title, line 15.

Following: “POULTRY”

Insert: “AND POULTRY”

5. Title, line 16.

Following: “POULTRY”

Insert: “AND POULTRY”

6. Title, line 18.

Following: “~~15-24-302,~~”

Insert: “15-8-201, 15-8-706, 15-24-301, 15-24-302,”

7. Title, line 19.

Strike: “AND”

8. Title, line 20.

Following: “~~81-8-804,~~”

Insert: “81-7-202, 81-7-303, 81-7-305, AND 81-8-804,”

9. Title, line 22.

Following: “~~15-24-911,~~”

Insert: "15-24-901 THROUGH 15-24-906, 15-24-908 THROUGH 15-24-911,"

Strike: "AND"

Insert: ", "

10. Title, line 23.

Following: "~~81-7-118,~~"

Insert: "15-24-926, 15-24-931, 15-24-941 THROUGH 15-24-943, AND 81-7-118,"

11. Page 2, line 4.

Strike: ":",

12. Page 2.

Strike: lines 13 through 22 in their entirety

13. Page 2, line 23.

Strike: "(C)"

14. Page 3, line 1.

Strike: "(I)"

Insert: "(a)"

15. Page 3, line 3.

Strike: "(II)"

Insert: "(b)"

16. Page 3, line 8.

Strike: "(III)"

Insert: "(c)"

17. Page 3, line 16.

Strike: "PERISHABLE" through "VEGETABLES"

Insert: "agricultural products"

18. Page 3, lines 18 through 21.

Strike: subsections (b) and (c) in their entirety

19. Page 3, line 25.

Strike: "(D)"

Insert: "(b)"

20. Page 4, line 1.

Strike: "EXCEPT" through "2"

21. Page 4, lines 7 through 10.

Strike: "WHICH" on line 7 through "AND" on line 10

Insert: ", including cattle, sheep, horses, mules, or swine and other animals and wildlife raised in domestication or in a captive environment, and their unprocessed products;"

22. Page 4, line 11.

Strike: "(E)"

Insert: "(c)"

23. Page 4, lines 14 and 15.

Strike: "SWINE" on line 14 through "1" on line 15

Insert: "poultry and the unprocessed products of poultry; and

(d) bees and the unprocessed product of bees"

24. Page 9.

Following: line 12

Insert: "Section 3. Section 15-8-201, MCA, is amended to read:

“15-8-201. General assessment day. (1) The department of revenue or its agent must, between January 1 and the second Monday of July in each year, ascertain the names of all taxable inhabitants and assess all property subject to taxation in each county. The department or its agent must assess property to the person by whom it was owned or claimed or in whose possession or control it was at midnight of January 1 next preceding. It must also ascertain and assess all mobile homes arriving in the county after midnight of January 1 next preceding. No mistake in the name of the owner or supposed owner of real property, however, renders the assessment invalid.

(2) The procedure provided by this section may not apply to:

(a) motor vehicles that are required by 15-8-202 to be assessed on January 1 or upon their anniversary registration date;

(b) automobiles and trucks having a rated capacity of three-quarters of a ton or less;

(c) motor homes and travel trailers subject to a fee in lieu of property tax;

(d) motorcycles and quadricycles;

~~(e) livestock;~~

~~(f)~~(e) property defined in 61-1-104 as “special mobile equipment” that is subject to assessment for personal property taxes on the date that application is made for a special mobile equipment plate; and

~~(g)~~(f) mobile homes held by a distributor or dealer of mobile homes as a part of his stock in trade.

(3) Credits must be assessed as provided in 15-1-101(1)(d).”

Section 4. Section 15-8-706, MCA, is amended to read:

“15-8-706. Statement by agent to the department. (1) On the second Monday in July in each year, the agent of the department of revenue in each county must transmit to the department a statement showing:

(a) the several kinds of personal property;

(b) the average and total value of each kind;

(c) the ~~number of livestock, number of bushels of grain,~~ number of pounds or tons of any article sold by the pound or ton;

(d) when practicable, the separate value of each class of land, specifying the classes and the number of acres in each.

(2) An agent of the department who purposely or negligently fails to perform his duty under this section or a deputy or member of the agent’s staff delegated such duty who purposely or negligently fails to perform such duty is guilty of official misconduct under 45-7-401.”

Section 5. Section 15-24-301, MCA, is amended to read:

“15-24-301. Personal property brought into the state — assessment — exceptions — custom combine equipment. (1) Except as provided in subsections (2) through (6), property in the following cases is subject to taxation and assessment for all taxes levied that year in the county in which it is located:

(a) any personal property (~~including~~ excluding livestock ~~and~~, poultry, and bees) brought, driven, or coming into this state at any time during the year that is used in the state for hire, compensation, or profit;

(b) property whose owner or user is engaged in gainful occupation or business enterprise in the state; or

(c) property which comes to rest and becomes a part of the general property of the state.

(2) The taxes on this property are levied in the same manner and to the same extent, except as otherwise provided, as though the property had been in the county on the regular assessment date, provided that the property has not been regularly assessed for the year in some other county of the state.

(3) Nothing in this section shall be construed to levy a tax against a merchant or dealer within this state on goods, wares, or merchandise brought into the county to replenish the stock of the merchant or dealer.

(4) Any motor vehicle not subject to the light vehicle license fee or a fee in lieu of tax brought, driven, or coming into this state by any nonresident person temporarily employed in Montana and used exclusively for transportation of such person is subject to taxation and assessment for taxes as follows:

(a) The motor vehicle is taxed by the county in which it is located.

(b) One-fourth of the annual tax liability of the motor vehicle must be paid for each quarter or portion of a quarter of the year that the motor vehicle is located in Montana.

(c) The quarterly taxes are due the first day of the quarter.

(5) Agricultural harvesting machinery classified under class eight, licensed in other states, and operated on the lands of persons other than the owner of the machinery under contracts for hire shall be subject to a fee in lieu of taxation of \$35 per machine for the calendar year in which the fee is collected. The machines shall be subject to taxation under class eight only if they are sold in Montana.

(6) The provisions of this part do not apply to automobiles and trucks having a rated capacity of three-quarters of a ton or less, motorcycles, or quadricycles. These vehicles are subject to the fee provided for in 61-3-532 or 61-3-541."

Section 6. Section 15-24-302, MCA, is amended to read:

"15-24-302. Collection procedure. All property mentioned in 15-24-301 is assessed at the same value as property of like kind and character, and the assessment, levy, and collection of the tax are governed by the provisions of 15-8-408; 15-16-111 through 15-16-115; 15-16-404; chapter 17, part 9; and 15-24-202; as amended, except:

(1) taxation of motor vehicles under 15-24-301(4), to the extent that subsection varies from the general provisions cited above; and

(2) ~~livestock taxation governed by 81-7-104 and Title 81, chapter 7, part 2.~~"

Renumber: subsequent sections

Following: "~~poultry~~"

Insert: "and poultry"

26. Page 9, lines 19 and 20.

Strike: "~~(EXCEPT)~~" on line 19 through "OLDER" on line 20

Insert: "and poultry"

27. Page 9, line 23.

Following: "~~poultry~~"

Insert: "and poultry"

28. Page 10, line 16.

Following: "~~repealed,~~"

Insert: ", 81-7-118 (now repealed),"

29. Page 11, line 6.

Following: "~~on~~"

Insert: "poultry, the amount received from the tax levied on"

30. Page 15, lines 3 and 4.

Strike: "9" on line 3 through "OLDER" on line 4

31. Page 15, lines 19 and 20.

Strike: "9" on line 19 through "OLDER" on line 20

32. Page 16, lines 12 and 13.

Strike: "9" on line 12 through "OLDER" on line 13

33. Page 17, line 20.

Following: "~~poultry~~"

Insert: "and poultry"

34. Page 23.

Following: line 11

Insert: "Section 16. Section 81-7-202, MCA, is amended to read:

"81-7-202. Signers of petition — time for presenting — limitation on bounties — bounty inspectors. (1) The petition provided for in 81-7-201 shall be signed by the owners, agent, or agents of not less than 51% of the livestock of such county ~~as ascertained from the assessment books of such county~~ and shall recommend to the board of county commissioners the bounties to be paid on such predatory animals, which shall not exceed the following:

(a) on each wolf or mountain lion, \$100;

(b) on each wolf pup or mountain lion kitten, \$20;

(c) on one coyote, \$5;

(d) on each coyote pup, \$2.50.

(2) Such petition shall be presented not later than August 1 of each year, and the board of county commissioners on determining the sufficiency of such petition shall make an order granting such petition, which order shall fix the levy for that year and the amount of the bounties to be paid for the killing of each such predatory animal, which shall not exceed the amounts recommended in such petition, and appoint not less than 10 or more than 20 stockowners of such county to be bounty inspectors under this part, without compensation, who shall hold their offices for 1 year."

Section 17. Section 81-7-303, MCA, is amended to read:

“81-7-303. County commissioners permitted to require per capita license fee on sheep. (1) To defray the expense of such protection the board of county commissioners of any county shall have the power to require all owners or persons in possession of any sheep ~~coming 1 year old or over~~ in the county on the regular assessment date of each year to pay a license fee in an amount to be determined by the board on a per head basis for sheep so owned or possessed by him in the county. All owners or persons in possession of any sheep ~~coming 1 year old or over~~ coming into the county after the regular assessment date ~~and subject to taxation under the provisions of 15-24-301~~ shall also be subject to payment of the license fee herein prescribed.

(2) Upon the order of the board of county commissioners such license fees may be imposed by the entry thereof in the name of the licensee upon the property tax rolls of the county by the county ~~assessor~~ treasurer. Said license fees shall be payable to and collected by the county treasurer, and when so levied, shall be a lien upon the property, both real and personal, of the licensee. In case the person against whom said license fee is levied owns no real estate against which said license fee is or may become a lien, then said license fee shall be payable immediately upon its levy and the treasurer shall collect the same in the manner provided by law for the collection of personal property taxes which are not a lien upon real estate.

(3) When collected, said fees shall be placed by the treasurer in the predatory animal control fund and the moneys in said fund shall be expended on order of the board of county commissioners of the county for predatory animal control only.”

Section 18. Section 81-7-305, MCA, is amended to read:

“81-7-305. Duty of county commissioners — petition of sheep owners — license fees. (1) In conducting a predatory animal control program, the board of county commissioners shall give preference to recommendations for such program and its incidents as made by organized associations of sheep growers in the county. Upon petition of the resident owners of at least 51% of the sheep in the county, ~~as shown by the assessment rolls of the last preceding assessment,~~ which petition shall be filed with the board of county commissioners on or before the first Monday in December in any year, such board shall establish the predatory animal control program and cause said licenses to be secured and issued and the fees collected for the following year in such amount as will defray the cost of administering the program so established. The license fee determined and set by the board shall remain in full force and effect from year to year without change, unless there is filed with the board a petition subscribed by the resident owners of at least 51% of the sheep in the county; ~~as shown by the assessment rolls of the last assessment preceding the filing of the petition,~~ for termination of the program and repeal of the license fee, in which event the program shall by order of the board of county commissioners be disestablished and the license fee shall not be further levied.

(2) If the resident owners of at least 51% of the sheep in the county either petition for an increase in the license fee or petition for a decrease in the license fee then in force, the board of county commissioners shall upon receipt of any such petition fix a new license fee to continue from year to year and the program shall

thereupon continue within the limits of the aggregate amount of the license fee as collected from year to year."

Section 19. Section 81-8-804, MCA, is amended to read:

"81-8-804. Assessments — refunds. (1) There is levied; ~~in addition to the tax on livestock prescribed in Title 15, chapter 24, part 9,~~ a per head tax of 25 cents on each head of cattle that ~~is more than 9 months of age and~~ is owned or possessed within a county for the support and maintenance of research into beef production as provided in this part. The tax shall be paid to the county treasurer of that county on or before March 1 of each year.

(2) The tax required in subsection (1) must be paid for each head of cattle that ~~is more than 9 months of age and~~ is brought into the county after March 1 ~~and is subject to taxation and assessment under 15-24-301.~~

(3) Each county is entitled to receive \$250 annually as reimbursement for the administration of this section.

(4) A person who has paid the tax required by this section may obtain a refund of the tax upon submission of a written request to the department. The application must be made within 30 days after the payment of the tax and on forms furnished by the department. The department shall, upon receipt of a timely and otherwise properly submitted refund request, refund the tax."

Renumber: subsequent sections

35. Page 23, line 13.

Following: "~~15-24-911,~~"

Insert: "15-24-901 through 15-24-906, 15-24-908 through 15-24-911,"

36. Page 23, line 14.

Strike: "AND"

Insert: ","

37. Page 23, line 15.

Following: "~~81-7-118,~~"

Insert: "15-24-926, 15-24-931, 15-24-941 through 15-24-943, and 81-7-118,"

And that this Conference Committee report be adopted.

For the Senate:

Severson, Chairman
Hager
Hirsch

For the House:

Switzer
Koehnke
Patterson

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 17, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 20, 329, 364, 373, 381, 400, 406, 471, 501, 503, 530, 554, 622, 642, 750, 771, 831, and 839 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 157, 210, 286, 592, 610, 702, 709, 714, 806, and 814 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 504, 506, 509, 564, 577, 606, 612, 626, 639, 641, 648, 661, 670, 679, 716, 718, 733, 740, 741, 748, 751, 772, 789, 791, and 817 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 813 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 20, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 787 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

The Senate, on 4/15/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 861.

The President appointed the following members:

Senator Mazurek, Chairman
 Senator Halligan
 Senator Thayer

Conference committee report rejected:

4/16/87

HB 796, free conference committee report

The Senate, on 4/16/87, dissolved the conference committee on Senate amendments to HB 102 and appointed a free conference committee to meet with a like committee from the House to confer on HB 102.

The President appointed the following members:

Senator Van Valkenburg, Chairman
 Senator Beck
 Senator Lybeck

House bills concurred in and returned to the House:

4/17/87

HB 581, introduced by McCormick

HB 864, introduced by Manuel

HJR 46, introduced by Brandewie

HJR 49, introduced by Miles

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/17/87

HB 866, introduced by Bradley

HJR 47, introduced by Pistoria

House amendments to Senate bills concurred in:

4/17/87

SB 22, introduced by Van Valkenburg

SB 183, introduced by Regan

SB 190, introduced by Lybeck

SB 200, introduced by E. Smith

Conference committee reports adopted:

4/17/87

HB 326, free conference committee report

HB 586, free conference committee report

HB 697, conference committee report

HB 752, free conference committee report

SB 331, conference committee report

SB 363, conference committee report

SB 371, conference committee report

The Senate, on 4/17/87, failed to concur in House amendments to SB 71 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SB 71.

The President appointed the following members:

Senator Blaylock, Chairman
Senator Beck
Senator Gage

SPECIAL ORDERS OF THE DAY

Speaker Marks asked the Sergeant-at-Arms to escort two distinguished visitors to the rostrum, Chief Justice of Montana Supreme Court, Jean Turnage, and Justice of the Washington State Supreme Court, William Goodloe. Chief Justice Turnage introduced Justice Goodloe who then addressed the assembly. At the conclusion of his remarks the Sergeant-at-Arms escorted the guests from the chamber.

MOTIONS

Representative Donaldson excused at this time.

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 884. Motion carried.

The Speaker appointed Representatives Smith, Marks, and Poulsen to the conference committee on Senate amendments to HB 884.

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on the Governor's amendments to HB 252. Motion carried.

The Speaker appointed Representatives Marks, M. Hanson, and D. Brown to the free conference committee on HB 252.

Representative Menahan present at this time.

Representative Hannah moved that the House stand in recess for party caucuses until 2:15 p.m. Motion carried.

House recessed at 1:45 p.m.

House reconvened at 2:45 p.m.

Mr. Speaker in the Chair.

Representative Schye excused at this time.

Representatives Addy, Donaldson, and Ream present at this time.

Representative Hannah moved that consideration of HB 891 on second reading be passed for the day, as the Senate still had not appointed a conference committee on HB 2. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 904 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 906 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of SB 228 on second reading be passed for the day. Motion carried. (51-48)

Representative Bradley moved that the rules be suspended to allow the House to consider Senate amendments to HB 866, because there was an

amendment making it lawful for first cousins to marry under certain circumstances, which would make it possible for an older couple in Butte to live happily ever after. The motion failed to get the necessary two-thirds vote. (64-34)

Representative Pistoria moved that the conference committee report on HB 256 be placed at the top of the second reading board this day. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/20/87

Correctly printed: HJR 59.

Correctly enrolled: HB 436, HB 455, HB 599.

Signed by the Speaker at 12:15 p.m., 4/16/87: HB 397, HB 621, HB 849, HB 871, HB 873, HJR 44.

Signed by the Speaker at 11:45 a.m., 4/17/87: HB 275, HB 361, HB 532, HB 848, HJR 45, HJR 48.

Delivered to the Governor for his approval at 1:31 p.m.: HB 275, HB 361, HB 532, HB 848.

Delivered to the Governor for his approval at 2:18 p.m.: HB 397, HB 621, HB 849, HB 871, HB 873.

NATURAL RESOURCES (Jones, Chairman):

4/17/87

HJR 59, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "YELLOWSTONE COUNTY"

Insert: "COMMUNITY"

2. Title, line 11.

Following: "POTENTIAL"

Insert: "AND OTHER BENEFITS"

3. Page 2, line 21.

Following: "recreational"

Insert: "and other"

4. Page 3, line 4.

Strike: "within Yellowstone County"

5. Page 3, line 17.

Strike: "in Yellowstone County"

6. Page 3, line 21.

Strike: "Yellowstone County"

Insert: "community"

7. Page 3, line 25.

Following: "potential"

Insert: "and other benefits"

8. Page 4, line 2.

Strike: "Yellowstone County"

Insert: "community"

9. Page 4, line 10.

Strike: "Yellowstone County"

Insert: "community"

And, as amended, do pass. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Giacometto in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 256 - Representative Pistoria moved that the conference committee report on HB 256 be rejected. Representative Sales made a substitute motion that the conference committee report on HB 256 be adopted. Motion failed. (41-57)

Conference committee report on HB 256 rejected as follows:

Ayes: Addy, Bachini, Bardanouve, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gould, Grady, Hansen, Harper, Harrington, Hoffman, Holliday, Jones, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Smith, Spaeth, Squires, Stang, Strizich, Swift, Vincent, Williams, Winslow, Mr. Speaker.
Total 66

Noes: Asay, Brandewie, Campbell, Compton, Connelly, Devlin, Donaldson, Giacometto, Gilbert, Grinde, Hannah, Hanson, Harp, Hayne, Iverson, Keller, Menke, Peterson, Ramirez, Rehberg, Sales, Simon, Stratford, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen.
Total 29

Excused: Schye.
Total 1

Absent or not voting: Bradley, Ellison, Glaser, Jenkins.
Total 4

HB 726 - Representative Spaeth moved that Senate amendments to HB 726 be not concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 91

Noes: Giacometto, Gilbert, Grinde, Harp, Jones, Kadas, Switzer.
Total 7

Excused: Schye.
Total 1

Absent or not voting: Bradley.
Total 1

HB 754 - Representative Spaeth moved that Senate amendments to HB 754 be not concurred in because it needs a technical amendment. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 97

Noes: Harp.

Total 1

Excused: Schye.

Total 1

Absent or not voting: Bradley.

Total 1

HB 570 - Representative Brandewie moved that the Governor's amendments to HB 570 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Bachini, Cobb, Ellison, Hannah, Hansen, Jones, Koehnke, Nisbet, Sands.

Total 9

Excused: Schye.

Total 1

Absent or not voting: Bradley.

Total 1

HB 326 - Representative Addy moved that the conference committee report on HB 326 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel,

Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 95

Noes: Cody, Harp.

Total 2

Excused: Schye.

Total 1

Absent or not voting: Bradley, Eudaily.

Total 2

HB 459 - Representative Keenan moved that the conference committee report on HB 459 be rejected. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 92

Noes: Grinde, Jones, Menke, Sales, Switzer.

Total 5

Excused: Schye.

Total 1

Absent or not voting: Bradley, Quilici.

Total 2

HB 102 - Representative Grady moved that the free conference committee report on HB 102 be adopted. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.

Total 79

Noes: Asay, Bachini, Cody, Giacometto, Hannah, Hanson, Kitselman, Nathe, O'Connell, Phillips, Poff, Sales, Sands, Simon, Stratford, Swift, Wallin.

Total 17

Excused: Schye.

Total 1

Absent or not voting: Devlin, Switzer, Mr. Speaker.

Total 3

HB 277 - Representative Connelly moved that the free conference committee report on HB 277 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gould, Grady, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Mercer, Miles, Miller, Moore, O'Connell, Peck, Peterson, Pistoria, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 62

Noes: Asay, Campbell, Cobb, Compton, Driscoll, Gilbert, Glaser, Grinde, Hanson, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Menahan, Menke, Meyers, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Phillips, Ramirez, Sales, Sands, Smith, Swift, Swysgood, Thoft, Thomas.

Total 33

Excused: Schye.

Total 1

Absent or not voting: Bardanouve, DeMars, Hannah, Quilici.

Total 4

HB 442 - Representative Mercer moved that the free conference committee report on HB 442 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 88

Noes: Bradley, Cobb, Cohen, Driscoll, Nisbet, Raney, Rapp-Svrcek, Whalen.

Total 8

Excused: Schye.

Total 1

Absent or not voting: Bardanouve, Quilici, Mr. Speaker.

Total 3

HB 567 - Representative Ramirez moved that the free conference committee report on HB 567 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto,

Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Cobb, Cohen, Hannah, Kadas, Moore, Peck, Rapp-Svrcek, Whalen.

Total 8

Excused: Schye.

Total 1

Absent or not voting: Quilici.

Total 1

HB 583 - Representative Donaldson moved that the free conference committee report on HB 583 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Miles, Miller, Moore, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Pistoria, Poulsen, Quilici, Ramirez, Raney, Ream, Russell, Smith, Spaeth, Squires, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 62

Noes: Asay, Campbell, Cobb, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Grinde, Hannah, Hanson, Hoffman, Jenkins, Jones, Kitselman, Koehnke, Menke, Mercer, Meyers, Nathe, Nelson, Peterson, Phillips, Poff, Rehberg, Roth, Sales, Sands, Simon, Stang, Stratford, Swift, Switzer, Swysgood.

Total 35

Excused: Schye.

Total 1

Absent or not voting: Menahan, Rapp-Svrcek.

Total 2

HB 586 - Representative Gould moved that the free conference committee report on HB 586 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Sales.

Total 1

Excused: Schye.

Total 1

Absent or not voting: Bardanouve, Menahan.

Total 2

HB 752 - Representative Winslow moved that the free conference committee report on HB 752 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: Hoffman, Quilici.

Total 2

HB 796 - Representative Driscoll moved that the free conference committee report on HB 796 be rejected and the Speaker be authorized to appoint a new free conference committee on HB 796. Representative Marks made a substitute motion that the free conference committee report on HB 796 be adopted. Motion failed. (31-67)

Free conference committee report on HB 796 rejected as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Hayne, Holliday, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Sales, Sands, Simon, Spaeth, Squires, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 75

Noes: Asay, Campbell, Compton, Devlin, Fritz, Giacometto, Grinde, Hanson, Harp, Hoffman, Iverson, Jones, Kennerly, Pistoria, Rehberg, Roth, Smith, Stang, Stratford, Swift, Switzer, Swysgood, Mr. Speaker.

Total 23

Excused: Schye.

Total 1

Absent or not voting: Winslow.

Total 1

SB 219 - Representative DeMars moved that the conference committee report on SB 219 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Ellison, Fritz, Giacometto, Glaser, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Nathe, Patterson, Peck, Peterson, Phillips, Pistoria, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Stratford, Strizich, Switzer, Swysgood, Thomas, Wallin, Williams.

Total 60

Noes: D. Brown, Corne', Daily, Driscoll, Eudaily, Gilbert, Gould, Grady, Hansen, Harrington, Hoffman, Keenan, Kennerly, Kitselman, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Poff, Quilici, Raney, Ream, Russell, Smith, Spaeth, Squires, Stang, Swift, Thoft, Vincent, Whalen.

Total 34

Excused: Schye.

Total 1

Absent or not voting: Bardanouve, Kadas, Poulsen, Winslow, Mr. Speaker.

Total 5

SB 298 - Representative Bardanouve moved that the conference committee report on SB 298 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: Bachini, Cohen, Hannah.

Total 3

Excused: Schye.

Total 1

Absent or not voting: Grady, O'Connell, Poulsen, Mr. Speaker.

Total 4

SB 331 - Representative Keller moved that the conference committee report on SB 331 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, O'Connell, Patterson,

Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Smith, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow.

Total 85

Noes: Giacometto, Gould, Hansen, Nelson, Nisbet, Rapp-Svrcek, Ream, Russell, Spaeth, Stang, Vincent.

Total 11

Excused: Schye.

Total 1

Absent or not voting: Connelly, Hannah, Mr. Speaker.

Total 3

SB 360 - Representative Spaeth moved that the conference committee report on SB 360 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 94

Noes: D. Brown, Driscoll, Squires, Whalen.

Total 4

Excused: Schye.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

SB 363 - Representative Darko moved that the conference committee report on SB 363 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 97

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: Manuel, Mr. Speaker.

Total 2

HJR 59 - Representative Ramirez moved that HJR 59 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 82

Noes: Brandewie, Campbell, Cobb, Daily, Giacometto, Glaser, Harp, Jones, Kennerly, Menahan, Nelson, Peck, Smith, Squires, Stang.

Total 15

Excused: Schye.

Total 1

Absent or not voting: D. Brown, Mr. Speaker.

Total 2

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tem in the Chair. Chairman Giacometto moved the adoption of the committee report. Report adopted. (87-8)

MOTIONS

Representative Bradley moved that the House reconsider its action in failing to suspend the rules to consider HB 866. Motion carried. (63-34)

Representative Bradley moved that the rules be suspended to allow Senate amendments to HB 866 to be accepted for consideration. Motion failed to get the necessary two-thirds vote. (63-34)

The Speaker appointed the same conferees, Representatives Gould, Mercer, and Driscoll, to the free conference committee on HB 796.

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 726. Motion carried.

The Speaker appointed Representative Sands, Mercer, and Spaeth to the free conference committee on HB 726.

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 754. Motion carried.

The Speaker appointed Representatives Iverson, Thoft, and Spaeth to the free conference committee on HB 754.

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 256. Motion carried.

The Speaker appointed Representatives Roth, Campbell, and Pistoria to the free conference committee on SB 256.

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 459. Motion carried.

The Speaker appointed Representatives Phillips, Roth, and Keenan to the free conference committee on HB 459.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 11:00 a.m., April 21, 1987.

Motion carried.

House adjourned at 5:57 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
April 21, 1987

House Chambers
State Capitol

House convened at 11:10 a.m., Mr. Speaker in the Chair. Invocation by Representative Hannah. Pledge of Allegiance to the Flag.

Roll call. All members present except Keenan, Pavlovich, and Stang, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/21/87

Correctly printed: HJR 60.

Correctly engrossed: HJR 59.

Correctly enrolled: HB 163, HB 325, HB 837, HB 863, HB 870, HB 880, HJR 46, HJR 49.

Examined by the sponsor and found to be correct:

HB 163 - Mercer

HB 837 - Jenkins

HB 325 - Mercer

HB 870 - Harper

HB 455 - Miles

HB 880 - Winslow

HB 599 - Mercer

Signed by the Speaker at 4:45 p.m., 4/16/87: HB 84, HB 526, HB 656, HB 887.

Signed by the Speaker at 9:00 a.m.: HB 455, HB 599.

Signed by the Speaker at 10:15 a.m.: HB 325.

Delivered to the Governor for his approval at 11:45 a.m.: HB 84, HB 455, HB 526, HB 599, HB 656, HB 887.

Delivered to the Governor for his approval at 1:49 p.m.: HB 325.

BUSINESS AND LABOR (Kitselman, Chairman): 4/20/87

HJR 60, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 241

Report No. 1, April 20, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 241 met and considered:

House Bill No. 241 in its entirety.

We recommend as follows:

That House Bill No. 241, reference copy, be amended as follows:

1. Page 4, line 13.

Strike: "3"

Insert: "4"

2. Page 5, line 6.

Strike: "4" through "OLDER." on line 9

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Halligan, Chairman
Thayer

Spaeth
Lory

Pinsoneault

Cobb

Free Conference Committee
on House Bill No. 252
Report No. 1, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 252 met and considered:

Governor's amendments to House Bill No. 252.

We recommend as follows:

That the following Governor's amendments to House Bill No. 252 be adopted.

1. Title, lines 6 through 8.

Following "RATES;" on line 6

Strike: remainder of line 6 through "PURCHASED;" on line 8

Insert: "PROVIDING A CONTINGENT PERMANENT REDUC-
TION; EXTENDING THE NEW PRODUCTION CREDIT;"

2. Title, line 10.

Following: "15-35-104"

Strike: "AND"

Insert: ","

Following: "15-35-202"

Strike: "THROUGH 15-35-204"

Insert: ", AND 15-35-203"

3. Page 3, line 25.

Following: "(2)"

Insert: "(a)"

Following: "purchaser"

Insert: ", except as provided in subsection (2)(b),"

4. Page 4.

Following: line 1

Strike: "(a)"

Insert: "(i)"

5. Page 4.

Following: line 4

Strike: "(b)"

Insert: "(ii)"

6. Page 4.

Following: line 5

Strike: "(i)"

Insert: "(A)"

7. Page 4.

Following: line 8

Strike: "(ii)"

Insert: "(B)"

8. Page 4.

Following: line 16

Insert: "(b) If the volume calculated in subsection (2)(a)(i) is less than one-third of the volume calculated in subsection (2)(a)(ii), the base consumption level is the volume calculated in subsection (2)(a)(ii)."

9. Page 4, line 17.

Following: "(3)"

Insert: "(a)"

Strike: ""Base"

Insert: "Except as provided in subsection (3)(b), "base"

10. Page 4.

Following: line 18

Strike: "(a)"

Insert: "(i)"

11. Page 4.

Following: line 21

Strike: "(b)"

Insert: "(ii)"

12. Page 4.

Following: line 23

Insert: "(b) If the amount calculated in subsection (3)(a)(ii) is less than one-third of the amount calculated in subsection (3)(a)(i), the base production level is the amount calculated in subsection (3)(a)(i)."

13. Page 6.

Following: line 12

Strike: subsection (9) in its entirety

Re-number: subsequent subsections

14. Page 7.

Following: line 4

Strike: subsection (14) in its entirety

Re-number: subsequent subsections

15. Page 7, line 18 through page 9, line 19.

Strike: section 3 in its entirety

Insert: "Section 3. Section 15-35-103, MCA, is amended to read:

"15-35-103. Severance tax — rates imposed — exemptions. (1) Except as provided in subsection (2), a severance tax is imposed on each ton of coal produced in the state in accordance with the following schedule:

(a) Fiscal Years 1988 and 1989:

Heating quality (Btu per pound of coal):	Surface Mining	Underground Mining
Under 7,000	12 cents or 20% of value	5 cents or 3% of value
7,000-8,000	22 cents or 30% of value	8 cents or 4% of value
8,000-9,000	34 cents or 30% of value	10 cents or 4% of value
Over 9,000	40 cents or 30% of value	12 cents or 4% of value

(b) Fiscal Year 1990:

Heating quality (Btu per pound of coal):	Surface Mining	Underground Mining
<u>Under 7,000</u>	<u>12 cents or</u> <u>13% of value</u>	<u>5 cents or</u> <u>3% of value</u>

<u>7,000-8,000</u>	<u>22 cents or</u> <u>25% of value</u>	<u>8 cents or</u> <u>4% of value</u>
<u>8,000-9,000</u>	<u>34 cents or</u> <u>25% of value</u>	<u>10 cents or</u> <u>4% of value</u>
<u>Over 9,000</u>	<u>40 cents or</u> <u>25% of value</u>	<u>12 cents or</u> <u>4% of value</u>

(c) Fiscal Year 1991 and Thereafter:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	<u>12 cents or</u> <u>13% of value</u>	<u>5 cents or</u> <u>3% of value</u>
<u>7,000-8,000</u>	<u>22 cents or</u> <u>20% of value</u>	<u>8 cents or</u> <u>4% of value</u>
<u>8,000-9,000</u>	<u>34 cents or</u> <u>20% of value</u>	<u>10 cents or</u> <u>4% of value</u>
<u>Over 9,000</u>	<u>40 cents or</u> <u>20% of value</u>	<u>12 cents or</u> <u>4% of value</u>

(2)(a)(i) On or before October 1, 1988, the department shall determine the total number of tons of coal produced in Montana and sold from July 1, 1987, through June 30, 1988. If the department finds that these sales exceed 32.2 million tons (which is the average total yearly coal sales for calendar years 1983, 1984, 1985, and 1986), the rate of the coal severance tax is as set forth in subsections (2)(b) through (2)(d).

(ii) If any facility that burned Montana coal at any time from July 1, 1987, to June 30, 1988, does not operate during a portion of that period due to mechanical failure or catastrophic act of God, the department shall determine the average monthly sales of Montana coal to the facility during its operation and multiply this figure by 12. The department shall include the product of this calculation in making its determination of coal produced in Montana and sold from July 1, 1987, through June 30, 1988.

(b) The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state from July 1, 1988, through June 30, 1990, is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	<u>12 cents or</u> <u>17% of value</u>	<u>5 cents or</u> <u>3% of value</u>
<u>7,000-8,000</u>	<u>22 cents or</u> <u>25% of value</u>	<u>8 cents or</u> <u>4% of value</u>
<u>8,000-9,000</u>	<u>34 cents or</u> <u>25% of value</u>	<u>10 cents or</u> <u>4% of value</u>
<u>Over 9,000</u>	<u>40 cents or</u> <u>25% of value</u>	<u>12 cents or</u> <u>4% of value</u>

(c) The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state from July 1, 1990, through June 30, 1991, is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
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<u>Under 7,000</u>	<u>12 cents or</u>	<u>5 cents or</u>
	<u>13% of value</u>	<u>3% of value</u>
<u>7,000-8,000</u>	<u>22 cents or</u>	<u>8 cents or</u>
	<u>20% of value</u>	<u>4% of value</u>
<u>8,000-9,000</u>	<u>34 cents or</u>	<u>10 cents or</u>
	<u>20% of value</u>	<u>4% of value</u>
<u>Over 9,000</u>	<u>40 cents or</u>	<u>12 cents or</u>
	<u>20% of value</u>	<u>4% of value</u>

(d) The severance tax imposed pursuant to subsection (2)(a) on each ton of coal produced in the state after June 30, 1991, is:

<u>Heating quality</u> <u>(Btu per pound</u> <u>of coal):</u>	<u>Surface</u> <u>Mining</u>	<u>Underground</u> <u>Mining</u>
<u>Under 7,000</u>	<u>12 cents or</u>	<u>5 cents or</u>
	<u>13% of value</u>	<u>3% of value</u>
<u>7,000-8,000</u>	<u>22 cents or</u>	<u>8 cents or</u>
	<u>15% of value</u>	<u>4% of value</u>
<u>8,000-9,000</u>	<u>34 cents or</u>	<u>10 cents or</u>
	<u>15% of value</u>	<u>4% of value</u>
<u>Over 9,000</u>	<u>40 cents or</u>	<u>12 cents or</u>
	<u>15% of value</u>	<u>4% of value</u>

(3) "Value" means the contract sales price.

(2)(4) The formula which yields the greater amount of tax in a particular case shall be used at each point on this schedule these schedules.

(2)(5) A person is not liable for any severance tax upon 50,000 tons of the coal he produces in a calendar year, except that if he produces more than 50,000 tons of coal in a calendar year, he will be liable for severance tax upon all coal produced in excess of the first 20,000 tons.

(4)(6) A new coal production incentive tax credit may be claimed on certain coal as provided in 15-35-202."

16. Page 9, line 20 through page 10, line 19.

Strike: section 4 in its entirety

Renumber: subsequent sections

17. Page 11, line 15 through page 12, line 9.

Strike: section 6 in its entirety

Insert: "Section 5. Section 15-35-202, MCA, is amended to read:

"15-35-202. New coal production incentive tax credit allowed — application limited. (1) A coal mine operator is entitled to a new coal production incentive tax credit of ~~33 1/3%~~ of against the tax imposed under 15-35-103 ~~on any of:~~

(a) ~~33 1/3% for incremental production produced and sold during~~ calendar years 1985 and 1986;

(b) 50% for incremental production sold from January 1, 1987, until June 30, 1988; and

(c) 40% for incremental production sold from July 1, 1988, until June 30, 1990; provided, however, that if the production quota established in 15-35-103 (2)(a)(i) is not met, the tax credit for this period is 50% for fiscal year 1989 and 40% for fiscal year 1990.

(2) (a) A coal mine operator is entitled to a new coal production incentive tax credit of ~~33 1/3%~~ of against the tax imposed under 15-35-103 on incremental production for the entire term of an agreement, except as provided in subsection (3), if the incremental production resulted from coal purchases under:

~~(a)(i)~~ an existing agreement which was extended between January 1, 1985, and ~~June 30, 1987~~ December 31, 1988, for at least a 5-year period; or

~~(b)(ii)~~ a new agreement that was executed between January 1, 1985, and ~~June 30, 1987~~ December 31, 1988.

(b) The rate of credit allowed under subsection (2)(a) is:

(i) 33 1/3% for incremental production sold from January 1, 1985, until December 31, 1986;

(ii) 50% for any incremental production sold from January 1, 1987, until June 30, 1988;

(iii) 40% for any incremental production sold from July 1, 1988, until June 30, 1990. However, if the production quota established in 15-35-103 (2)(a)(i) is not met, the tax credit for this period is 50% for fiscal year 1989 and 40% for fiscal year 1990.

(iv) 25% for any incremental production sold from July 1, 1990, until June 30, 1991; and

(v) 25% after June 30, 1991, if the production quota in 15-35-103 (2)(a)(i) has not been met.

(3) No credit may be claimed for coal produced prior to January 1, 1985.””

18. Page 12.

Following: line 17

Insert: “(b) distributing the incremental production among the quarters in the calendar year in the same proportion as the total volume of coal sold each quarter to each respective purchaser and summing the amounts for all purchasers to determine the coal mine operator’s incremental production for each quarter;”

Renumber: subsequent subsections

19. Page 12, line 20.

Following: “purchaser”

Insert: “each quarter”

20. Page 12.

Following: line 22

Strike: “calendar year”

Insert: “quarter”

21. Page 12.

Following: line 24

Strike: “33 1/3%”

Insert: “the appropriate percentage as provided in 15-35-202 for each quarter”

22. Page 13, line 2.

Following: “purchasers”

Insert: “for all four quarters of the calendar year”

23. Page 13, lines 8 and 9.

Following: "year." on line 8

Strike: remainder of line 8 through "subsection." on line 9

24. Page 14, line 4.

Strike: section 8 in its entirety

Re-number: subsequent sections

25. Page 16, line 8.

Following: "Applicability."

Strike: remainder of section 10 in its entirety

Insert: "Sections 2 and 5 apply retroactively, within the meaning of 1-2-109, to tax periods beginning after December 31, 1986."

And that this Free Conference Committee report be adopted.

For the Senate:

Galt, Chairman

Hirsch

Van Valkenburg

For the House:

Marks

M. Hanson

D. Brown

Free Conference Committee
on House Bill No. 721
Report No. 2, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 721 met and considered:

1. Senate State Administration Committee amendments to the third reading copy, dated March 26, 1987; and

2. Senate Committee of the Whole amendments to the third reading copy, dated March 30, 1987.

We recommend as follows:

That House Bill No. 721, reference copy, be amended as follows:

1. Title, line 11.

Strike: "95"

Insert: "100"

2. Page 2, line 5.

Strike: "95"

Insert: "100"

3. Page 2, line 20.

Following: "~~legislature.~~"

Insert: "No bill introduced in one session may be carried over to any other session of that legislature."

4. Page 2, lines 21 and 22.

Following: "LEGISLATION" on line 21

Insert: "unrelated to the subject"

Following: "SESSION" on line 21

Strike: "UNRELATED TO THE SUBJECT"

And that this Free Conference Committee report be adopted.

For the Senate:

Blaylock, Chairman

Story

Haffey

For the House:

Vincent

Thomas

Peterson

Free Conference Committee
on House Bill No. 796
Report No. 3, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 796 met and considered:

House Bill No. 796 in its entirety, reference copy, including Senate amendments, dated 3/20/87 and 3/25/87.

We recommend as follows:

That House Bill No. 796, reference copy, be amended as follows:

1. Senate Committee of the Whole amendments, dated 3/25/87, (11:45).

Strike: amendments in their entirety

2. Title, line 6.

Following: "BINGO"

Insert: "OR KENO"

3. Title, line 7.

Following: "BINGO"

Insert: "OR KENO"

4. Title, line 9.

Following: "DATES"

Insert: "AND A TERMINATION DATE"

5. Page 1, line 16.

Following: "Bingo"

Insert: "or keno"

6. Page 1, line 18.

Following: "bingo"

Insert: "or keno"

7. Page 2, line 1.

Following: "bingo"

Insert: "or keno"

8. Page 2, line 7.

Following: "bingo"

Insert: "or keno"

9. Page 2, line 15.

Following: "bingo"

Insert: "or keno"

10. Page 2.

Following: line 20

Insert: "Section 2. Section 23-5-414, MCA, is amended to read:

"23-5-414. Restrictions on bingo, keno, and raffles — bingo or keno machines in establishment — limit — exception — hours of operation. (1) In the playing of bingo or keno, no person who is not physically present on the premises where the game is actually conducted shall be allowed to participate as a player in the game.

(2) Raffles authorized by this part shall be restricted to events and participants within the geographic confines of the state of Montana.

(3) No establishment may receive licenses for, under 23-5-421, or make available for play more than 40 bingo or keno machines.””

Renumber: subsequent sections

11. Page 2, line 22.

Following: “bingo”

Insert: “, keno,”

Following: “bingo”

Insert: “or keno”

12. Page 2, line 24.

Following: “bingo”

Insert: “or keno”

13. Page 3, line 7.

Strike: “10”

Insert: “15”

Following: “bingo”

Insert: “or keno”

14. Page 3, line 8.

Strike: “UNLESS OTHERWISE DETERMINED BY”

Insert: “. A”

15. Page 3, line 9.

Strike: “BUT NO MORE THAN 10”

Insert: “however, may restrict the number of licensed machines available for play in an establishment to less than 15, but must allow at least 5”

16. Page 3, line 16.

Following: “(4)” (renumbered)

Strike: “An”

Insert: “(a) Except as provided in subsection (4)(b), an”

17. Page 3, line 17.

Following: “bingo”

Insert: “or keno”

18. Page 3, line 23.

Strike: “UNLESS OTHERWISE DETERMINED BY”

Insert: “.

(b) A”

19. Page 3, line 24.

Strike: “BUT THE” through “16-3-304” on line 25

Insert: “may establish any hours of play for bingo or keno machines that it determines proper”

20. Page 4, line 3.

Following: “.”

Insert: “(1)”

21. Page 4, line 9.

Strike: “and”

Insert: “.

(2) Except as provided in subsection (3),”

22. Page 4, line 13.

Strike: “UNLESS” through “BODY” on line 14

23. Page 4, line 14.

Following: “.”

Insert: “(3) A local governing body may establish any hours of play for video draw poker machines that it determines proper.

(4)”

24. Page 4, line 22.

Following: “DATES”

Insert: “— termination date”

25. Page 4, line 24.

Strike: “on passage and approval”

Insert: “July 1, 1988”

26. Page 4, line 25.

Strike: “SECTION” through “EFFECTIVE”

Insert: “Section 2 is effective July 1, 1987, and terminates”

And that this Free Conference Committee report be adopted.

For the Senate:

Lynch, Chairman
Crippen
McLane

For the House:

Driscoll
Gould
Mercer

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 21, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 878, 888, and 901 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 21, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 39, “AN ACT TRANSFERRING GOVERNANCE OF THE POST SECONDARY VOCATIONAL-TECHNICAL CENTERS TO THE BOARD OF REGENTS OF HIGHER EDUCATION; RENAMING POST-SECONDARY VOCATIONAL-TECHNICAL CENTERS AS VOCATIONAL-TECHNICAL CENTERS; ALLOWING FOR A VOTE FOR AN ADDITIONAL LEVY TO SUPPORT A CENTER; REQUESTING THE BOARD OF REGENTS TO REPORT TO THE 51ST LEGISLATURE

ON POSSIBLE REORGANIZATION OF POSTSECONDARY VOCATIONAL-TECHNICAL EDUCATION; APPROPRIATING MONEY FROM THE LOCAL IMPACT AND EDUCATION TRUST FUND ACCOUNT TO THE BOARD OF REGENTS TO HELP FUND THE VOCATIONAL-TECHNICAL CENTERS; AMENDING SECTIONS 19-4-302, 20-1-101, 20-3-103, 20-3-106, 20-6-501, 20-7-301, 20-7-302.1, 20-7-303, 20-7-311, 20-7-312, 20-7-314, 20-7-322, 20-7-324, 20-7-325, 20-7-327, 20-7-332, 20-7-333, 20-9-403, 20-9-513, 39-71-118, AND 90-6-211, MCA; REPEALING SECTIONS 20-7-304, 20-7-313, 20-7-323, 20-7-326, AND 20-7-331, MCA; AND PROVIDING AN EFFECTIVE DATE," without my signature and recommend the attached amendments, which have been concurred in by the bill's chief sponsor, for the following reasons.

House Bill No. 39 transfers the responsibility for operating the state's vocational-technical centers and administering certain other postsecondary vocational education programs from the Superintendent of Public Instruction to the Board of Regents. However, section 17 of the Bill does not make it clear that the Board of Regents' authority to direct the state treasurer to disburse vocational-technical education funds extends to funds received for those programs under the Board's control but which are taught outside of vocational-technical centers. My second amendment will clarify this matter.

Under House Bill No. 39 vocational-technical centers will continue to be funded, in part, by a one and one-half mill levy imposed in the counties in which the centers are located. However, the bill, if implemented in its present form, will interrupt the local budgeting cycle and deprive the centers of this local contribution for the 1988 school fiscal year. My third and fourth amendments will provide for a smooth transition in local funding for the centers and eliminate the need for school districts in which voters have approved an additional mill levy to support a center before the bill takes effect to hold a second election on the same question.

My first amendment, addressing a minor drafting oversight, simply includes kindergarten within the definition of "K-12 vocational education."

I urge your concurrence in these amendments.

Governor's Proposed Amendments to HB 39

1. Page 9, line 24.

Following: "school"

Strike: "grades 1"

Insert: "kindergarten"

Following: "through"

Insert: "grade"

2. Page 31, line 1.

Following: "education"

Insert: "and for vocational education other than K-12 vocational education"

3. Page 32, line 4.

Following: "FOR"

Strike: "THE TAXABLE YEAR"

Insert: "property tax years"

Following: "JANUARY 1,"

Strike: "1988"

Insert: "1987"

Following: ":",

Insert: "It is the intent of this subsection (1)(b) that the county commissioners shall levy this tax for fiscal year 1988 operation of the vocational-technical system and thereafter."

4. Page 42.

Following: line 24

Insert: "(4) For school fiscal year 1988, if the trustees of a school district that operated a vocational-technical center prior to July 1, 1987, have adopted a budget in excess of that appropriated by the legislature and have submitted the proposition for an additional levy to the qualified electors of the district and if the electors have approved the proposition as provided for in former 20-7-326, the trustees need not submit the proposition to the electors at an additional election following approval of the budget by the board of regents as provided for in subsection (2)."

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/20/87

HB 474, introduced by Moore

The Senate, on 4/20/87, concurred in Governor's amendments to HB 252, introduced by M. Hanson, and appointed a free conference committee, requesting that the House appoint a like committee to confer on HB 252.

The Senate, on 4/20/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on Governor's amendments to HB 252.

The President appointed the following members:

Senator Galt, Chairman
Senator Van Valkenburg
Senator Hirsch

The Senate, on 4/20/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 460.

The President appointed the following members:

Senator Lynch, Chairman
Senator Regan
Senator Harding

The Senate, on 4/20/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 884.

The President appointed the following members:

Senator Farrell, Chairman
Senator Williams
Senator Thayer

Conference committee reports adopted:

4/20/87

HB 442, free conference committee report

HB 459, conference committee report

HB 567, free conference committee report

SB 219, conference committee report

SB 298, conference committee report

SB 360, conference committee report

MOTIONS

Representative Glaser moved that consideration of HJR 59 on third reading be passed for the day, because he felt the rules had been violated by hearing the bill on second reading before the committee report had been read across the rostrum. Representative Hannah made a substitute motion that the rules be suspended to allow HJR 59 to proceed, just as a safety measure. Motion failed to get the necessary two-thirds vote. (62-33) The Glaser motion to pass consideration for the day failed.

Representatives Keenan and Stang present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 59 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Bulger, Cody, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Gould, Grady, Grinde, Hannah, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Lory, Manuel, Menke, Meyers, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 73

Noes: Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Daily, Devlin, Fritz, Giacometto, Glaser, Hansen, Hanson, Harp, Jones, Kennerly, McCormick, Menahan, Mercer, Nelson, Phillips, Smith, Squires, Stang.
Total 24

Excused: Pavlovich.

Total 1

Absent or not voting: Koehnke, Poulsen.

Total 2

HB 570, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth,

Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Bachini, Bardanouve, Cobb, Cody, Hansen, Jones, McCormick, Nisbet, Peck, Sands.

Total 10

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 102, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Peck, Peterson, Pistoria, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Bachini, Campbell, Cobb, Cody, Grinde, Hannah, Hanson, Kitselman, Menke, Nathe, O'Connell, Phillips, Poff, Quilici, Sands, Swift, Switzer, Wallin.

Total 18

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 277, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cohen, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Hannah, Hansen, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Mercer, Miles, Miller, Moore, O'Connell, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 70

Noes: Bulger, Campbell, Cobb, Cody, Compton, Driscoll, Gilbert, Grinde, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Kitselman, Menahan, Menke, Meyers, Nathe, Nelson, Nisbet, Patterson, Phillips, Sales, Swift, Switzer, Swysgood, Thoft, Thomas.

Total 29

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 326, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: Campbell, Cody.

Total 2

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 442, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 89

Noes: Campbell, Cohen, Hansen, Kadas, Nathe, Nisbet, Raney, Rapp-Svrcek, Squires, Whalen.

Total 10

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 567, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Cobb, Cohen, Hannah, Kadas, McCormick, Moore, Rapp-Svrcek, Whalen.

Total 9

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 583, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Campbell, Cobb, Devlin, Ellison, Fritz, Giacometto, Gilbert, Glaser, Hannah, Hanson, Hoffman, Kitselman, Koehnke, Mercer, Meyers, Peterson, Poff, Sales, Sands, Stang, Swift, Switzer, Swysgood.

Total 23

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 586, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 96

Noes: Campbell, Hansen, Sales.

Total 3

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

HB 752, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Pavlovich.

Total 1

Absent or not voting: Swysgood.

Total 1

SB 219, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, DeMars, Devlin, Donaldson, Ellison, Fritz, Giacometto, Glaser, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Nathe, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swysgood, Thoft, Vincent, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Bardanouve, D. Brown, Corne', Daily, Driscoll, Eudaily, Gilbert, Gould, Grady, Harrington, Hoffman, Jones, Kitselman, Moore, Nelson, Nisbet, Peck, Poff, Raney, Ream, Russell, Schye, Squires, Stang, Swift, Switzer, Thomas, Wallin, Whalen.

Total 29

Excused: Pavlovich.

Total 1

Absent or not voting: Kadas, Keenan, Strizich.

Total 3

SB 298, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 90

Noes: Bachini, Campbell, Cohen, Hannah, Harper, Nathe, Peterson, Switzer.
Total 8

Excused: Pavlovich.
Total 1

Absent or not voting: Swift.
Total 1

SB 331, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 84

Noes: Brandewie, Campbell, Giacometto, Gould, Hannah, Hansen, Harp, Harper, Kadas, Nisbet, Russell, Spaeth, Squires, Stang, Vincent.
Total 15

Excused: Pavlovich.
Total 1

Absent or not voting: None.
Total 0

SB 360, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 91

Noes: D. Brown, Campbell, Driscoll, Giacometto, Squires, Strizich, Whalen.
Total 7

Excused: Pavlovich.
Total 1

Absent or not voting: Swift.
Total 1

SB 363, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

Representative Connelly asked that the following proclamation be read by the reading clerk:

HOUSE APPROPRIATIONS RESOLUTION NO. 1

INTRODUCED BY Connelly, Miller, Winslow, Menke, Manuel, Spaeth, Swift, Devlin, Switzer, Poulsen, Peck, Iverson, Bardanouve, Bradley, Thoft, Nathe, Rehberg, Menahan, Quilici

A RESOLUTION OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECOGNIZING THE LEADERSHIP OF CHAIRMAN GENE DONALDSON

WHEREAS, House Appropriations Committee is the most powerful and influential Committee in the House of Representatives; and

WHEREAS, the workload of House Appropriations Committee is demanding, punishing, and overburdening; and

WHEREAS, the Chairman of House Appropriations Committee must be an all-purpose mental and physical athlete to lead 20 disparate House members through the arduous turmoil of a regular Legislative Session; and

WHEREAS, Gene Donaldson has displayed the acuity and stamina requisite for the purpose of guiding a \$2.8 billion budget past a staggering array of special interests; and

WHEREAS, the calm and moderate leadership of Gene Donaldson has been absolutely essential in view of six subcommittees headed by a ruthless array of budgetary sharks; and

WHEREAS, the abovementioned \$2.8 billion budget contains a little bit of pork for everyone's district, but not enough for anyone's; and

WHEREAS, a budget put together by Republicans was savagely attacked by those selfsame Republicans and defended, absurdly, by a host of liberal, free-spending Democrats; and

WHEREAS, the budget survived only by the astute intervention and devoted attention of Gene Donaldson, who managed to be absent during the floor debate on House Bill No. 2; and

WHEREAS, that without the fair and impartial leadership of Gene Donaldson, the State of Montana would doubtless be broke by now.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE APPROPRIATIONS COMMITTEE THAT:

Gene Donaldson is hereby commended, praised, honored, and hailed as the Chairman of the House Appropriations Committee during the 50th Legislature; and

BE IT FURTHER RESOLVED, that the members of the House Appropriations Committee, when they retire from each other's throats, heartily congratulate Gene Donaldson for the sterling and impeccable qualities of leadership he demonstrated during these trying times; and

BE IT FURTHER RESOLVED, that the House of Representatives unanimously convey to Gene Donaldson its admiration, respect, and sincere thanks for a tough job well done.

Representative Donaldson received a hearty and extended standing ovation from his fellow members of the House of Representatives.

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 71. Motion carried.

The Speaker appointed Representatives Ramirez, Gilbert, and Kadas to the free conference committee on SB 71.

Representative Hannah moved that the conference committee on Senate amendments to HB 241 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate. Motion carried.

The Speaker appointed the same conferees, Representatives Cobb, Lory, and Spaeth to the free conference committee on HB 241.

Representative Hannah moved that consideration of HB 891 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 904 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 906 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of SB 228 on second reading be passed for the day. Motion carried. (52-48)

Representative Vincent moved that the conference committee on Senate amendments to HB 867 be dissolved and the same members be appointed to a free conference committee to meet with a like committee from the Senate. Motion carried.

The Speaker appointed the same conferees, Representatives Rehberg, Gould, and Vincent to the free conference committee on HB 867.

Representative Jenkins moved that SB 38 be taken from the table in the Committee on Education and printed and placed on second reading this

day. This is the bill limiting the school funding to 180 days throughout the state. Motion carried.

Representative Daily excused at this time.

Representative Keenan moved that SB 396 be taken from the table in the Committee on Highways and printed and placed on second reading this day. This is Senator Bengtson's bill providing for a highway information sign program. The motion failed. (43-52)

Representative Phillips moved that the conference committee on HB 233 be dissolved and that the Speaker be authorized to appoint the same members to a free conference committee on HB 233. Motion carried.

The Speaker appointed the same conferees, Representatives Phillips, Compton, and Bardanouve to the free conference committee on HB 233.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Gould in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 47 - Representative Pistoria moved that Senate amendments to HJR 47 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.
Total 91

Noes: Cobb, Giacometto, Sales, Stratford, Williams.
Total 5

Excused: Daily, Pavlovich.
Total 2

Absent or not voting: Bardanouve, Russell.
Total 2

HB 206 - Representative McCormick moved that the free conference committee report on HB 206 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck,

Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 90

Noes: Cobb, Hannah, Hayne, Kadas, Keller, Meyers, Peterson, Sales.
Total 8

Excused: Daily, Pavlovich.
Total 2

Absent or not voting: None.
Total 0

HB 721 - Representative Thomas moved that the free conference committee report on HB 721 be rejected. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Gould, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Menahan, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Simon, Spaeth, Stang, Stratford, Strizich, Thomas, Wallin, Whalen, Williams, Winslow.
Total 64

Noes: Bardanouve, Brandewie, Campbell, Cody, Corne', DeMars, Devlin, Fritz, Glaser, Grady, Grinde, Harp, Hoffman, Jenkins, Jones, Koehnke, Manuel, Menke, Miles, Moore, Nisbet, Patterson, Phillips, Poulsen, Ream, Sales, Smith, Squires, Swift, Switzer, Swysgood, Thoft, Vincent, Mr. Speaker.
Total 34

Excused: Daily, Pavlovich.
Total 2

Absent or not voting: None.
Total 0

SB 64 - Representative Ream moved that the conference committee report on SB 64 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Cobb, Sands, Whalen.
Total 3

Excused: Daily, Pavlovich.
Total 2

Absent or not voting: None.

Total 0

SB 74 - Representative Sands moved that the free conference committee report on SB 74 be rejected. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Daily, Pavlovich.

Total 2

Absent or not voting: Poulsen.

Total 1

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gould moved the adoption of the committee report. Report adopted. (98-0)

MOTIONS

Representative Hannah moved that the House stand in recess until 4:00 p.m. Motion carried.

House recessed at 12:35 p.m.

House reconvened at 4:00 p.m.

Mr. Speaker in the Chair.

Representative Donaldson excused at this time.

Representative Daily present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/21/87

Correctly enrolled: HB 581, HB 666, HB 703, HB 743, HB 776, HB 816, HB 864.

Examined by the sponsor and found to be correct:

HB 436 - Ramirez

HB 816 - Asay

HB 581 - McCormick

HB 863 - Wallin

HB 666 - Ramirez

HB 864 - Manuel

HB 703 - Gilbert

HJR 46 - Brandewie

HB 743 - Sales

HJR 49 - Miles

HB 776 - Nathe

Signed by the Speaker at 4:50 p.m.: HB 776.

Delivered to the Governor for his approval at 5:20 p.m.: HB 776.

EDUCATION AND CULTURAL RESOURCES (Sands, Chairman):

4/21/87

SB 38, third reading copy, be amended as follows:

1. Page 4, line 23.

Following: "UNLESS"

Strike: "IT"

Insert: "the district:

(a)"

2. Page 5, line 2.

Following: "1987"

Insert: "; or

(b) uses a divisor of 180 and reduces by 1 day the number of pupil-instruction days used in calculating the ANB in the current school fiscal year and in each ensuing school fiscal year until the number of pupil-instruction days equals 180"

And, as amended, be tabled. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee

on House Bill No. 233

Report No. 1, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 233 met and considered:

House Bill No. 233 in its entirety.

We recommend as follows:

That House Bill No. 233, reference copy, be amended as follows:

1. Page 1, line 21.

Following: "compensation"

Insert: "unless the person changes positions or successfully completes a probationary period"

And that this Free Conference Committee report be adopted.

For the Senate:

Walker, Chairman

Regan

Rasmussen

For the House:

Phillips

Bardanoue

Compton

Free Conference Committee

on House Bill No. 459

Report No. 1, April 20, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 459 met and considered:

House Bill No. 459 in its entirety.

We recommend as follows:

That House Bill No. 459, reference copy, be amended as follows:

1. Title, lines 17 and 18.

Strike: "ALLOWING" through "MAIL,"

2. Title, line 20.

Strike: "13-19-104,"

3. Page 8, line 13 through page 10, line 3.

Strike: section 8 in its entirety

Renumber: subsequent sections

4. Page 12, lines 13, 16, and 17.

Strike: "10 AND 11"

Insert: "9 and 10"

5. Page 12, line 20.

Strike: "11, 13 AND 14"

Insert: "10, 12, and 13"

6. Page 12, line 25.

Strike: "NOVEMBER 15"

Insert: "August 1"

7. Page 13, line 2.

Strike: "12"

Insert: "11"

And that this Free Conference Committee report be adopted.

For the Senate:

Lynch, Chairman

Kolstad

Farrell

For the House:

Phillips

Roth

Keenan

Conference Committee

on House Bill No. 861

Report No. 1, April 21, 1987

Mr. Speaker:

We, your Conference Committee on House Bill No. 861 met and considered:

Senate Standing Committee amendments to House Bill No. 861, third reading copy, dated April 9, 1987 and Committee of the Whole amendment, dated April 11, 1987 (9:20).

We recommend as follows:

That Senate amendments to House Bill No. 861 be concurred in.

And that this Conference Committee report be adopted.

For the Senate:

Mazurek, Chairman

Halligan

Thayer

For the House:

Sands

Simon

Addy

Free Conference Committee

on Senate Bill No. 74

Report No. 2, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 74 met and considered:

Senate Bill No. 74 in its entirety.

We recommend as follows:

That Senate Bill No. 74, reference copy, be amended as follows:

1. Page 6, line 12.
Following: "(2)(F)"
Insert: ", (2)(h), or (2)(i)"
2. Page 6, line 15.
Following: "(2)(F)"
Insert: ", (2)(h), or (2)(i)"
3. Page 11, line 3.
Following: "(2)(K)"
Insert: ", (2)(m), or (2)(n)"
4. Page 11, line 5.
Following: "(2)(K)"
Insert: ", (2)(m), or (2)(n)"

And that this Free Conference Committee report be adopted.

For the Senate:

Mazurek, Chairman
McCallum
B. Brown

For the House:

Ellison
Koehnke
Hoffman

COMMUNICATIONS AND PETITIONS

Speaker Marks appointed the following Representatives to the Legislative Finance Committee: 4/21/87

Representative John Mercer
Representative Harold Poulsen

Representative Gene Donaldson, Chairman of the House Appropriations Committee, made the following appointments to the Legislative Finance Committee: 4/9/87

Representative Francis Bardanoue
Representative Ray Peck
Representative Calvin Winslow
Representative Ron Miller

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 4/21/87

HB 627, introduced by Strizich

HJR 52, introduced by Simon

HJR 53, introduced by Bulger

House amendments to Senate bill concurred in: 4/21/87

SJR 8, introduced by Keating

Governor's amendments to House bills concurred in and returned to the House: 4/21/87

HB 623, introduced by Harrington

HB 658, introduced by Menahan

Conference committee reports adopted:

4/21/87

HB 102, free conference committee report no. 2

HB 256, conference committee report

HB 277, free conference committee report no. 2

HB 583, free conference committee report

SB 64, free conference committee report

The Senate, on 4/21/87, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 233.

The President appointed the following members:

Senator Walker, Chairman

Senator Regan

Senator Rasmussen

The Senate, on 4/21/87, dissolved the conference committee on Senate amendments to HB 241 and appointed a free conference committee to meet with a like committee from the House to confer on HB 241.

The President appointed the following members:

Senator Halligan, Chairman

Senator Pinsoneault

Senator Thayer

The Senate, on 4/21/87, dissolved the conference committee on Senate amendments to HB 459 and appointed a free conference committee to meet with a like committee from the House to confer on HB 459.

The President appointed the following members:

Senator Lynch, Chairman

Senator Kolstad

Senator Farrell

The Senate, on 4/21/87, acceded to the request of the House and appointed a new free conference committee to meet with a like committee from the House to confer on HB 721.

The President appointed the following members:

Senator Blaylock, Chairman

Senator Story

Senator Haffey

The Senate, on 4/21/87, acceded to the request of the House and appointed a new free conference committee to meet with a like committee from the House to confer on HB 796.

The President appointed the following members:

Senator Lynch, Chairman

Senator Crippen

Senator McLane

The Senate, on 4/21/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 867.

The President appointed the following members:

Senator Haffey, Chairman
 Senator Thayer
 Senator Manning

The Senate, on 4/16/87, failed to concur in House amendments to SB 390 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 390.

The President appointed the following members:

Senator McCallum, Chairman
 Senator Eck
 Senator Farrell

MOTIONS

Representative Spaeth moved that the House override the Governor's veto of SB 149, the early retirement bill. Representative Peck asked for a ruling from the Chair, whether a veto, once sustained, could be reconsidered again. The Chair ruled that issues could be reconsidered any number of times. Representative Peck appealed the ruling of the Chair. After members cited several rules supporting the ruling of the Chair, Representative Peck withdrew his appeal and spoke against the measure. After debate, Representative Peck moved the previous question. His motion to stop debate passed. (78-19) The motion to override the Governor's veto of SB 149 failed to get the two-thirds majority vote as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Harp, Harper, Harrington, Hoffman, Iverson, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Pistoria, Quilici, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Thomas, Vincent, Whalen, Winslow, Mr. Speaker.
 Total 63

Noes: Bardanouve, Cody, Cohen, DeMars, Devlin, Ellison, Giacometto, Gilbert, Hannah, Hansen, Hanson, Hayne, Holliday, Jenkins, Keller, Koehnke, Menke, Mercer, Meyers, Patterson, Peck, Phillips, Poff, Poulsen, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Thoft, Williams.
 Total 36

Paired: Donaldson, Eudaily, Pavlovich, Quilici, Ayes; Giacometto, Patterson, Noes.

Excused: None.
 Total 0

Absent or not voting: Wallin.
 Total 1

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 13, introduced by Keating. Referred to Committee on Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Gould in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Menahan excused at this time.

HJR 60 - Representative Strizich moved that HJR 60 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Winslow.

Total 86

Noes: Devlin, Giacometto, Hanson, Hayne, Hoffman, Jones, Menke, Smith, Swift, Thomas.

Total 10

Excused: Donaldson, Menahan, Pavlovich.

Total 3

Absent or not voting: Mr. Speaker.

Total 1

SB 38 - Representative Jenkins moved that SB 38 be placed at the bottom of the second reading board for amendment. Motion carried.

HB 241 - Representative Spaeth moved that the free conference committee report on HB 241 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Corne', Daily, Darko, DeMars, Devlin, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Patterson, Peck, Phillips, Pistoria, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 74

Noes: Cody, Cohen, Connelly, Driscoll, Hansen, Harrington, Jones, Kadas, Keenan, McCormick, Miles, Nisbet, O'Connell, Peterson, Quilici, Raney, Ream, Schye, Squires, Strizich, Whalen.

Total 21

Excused: Donaldson, Menahan, Pavlovich.

Total 3

Absent or not voting: Poulsen, Williams.

Total 2

HB 252 - Representative M. Hanson moved that the free conference committee report on HB 252 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cody, Compton, Connelly, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Bradley, D. Brown, Cobb, Cohen, Darko, Gould, Hannah, Kadas, Kennerly, Nisbet, Raney, Rapp-Svrcek, Ream.

Total 13

Paired: Donaldson, Aye; D. Brown, No.

Excused: Menahan, Pavlovich.

Total 2

Absent or not voting: Poulsen.

Total 1

HB 459 - Representative Keenan moved that the free conference committee report on HB 459 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Eudaily, Fritz, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Moore, Nathe, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 84

Noes: Asay, Cobb, Ellison, Giacometto, Hayne, Jones, Keller, Kitselman, Meyers, Nelson, Raney, Spaeth.

Total 12

Excused: Donaldson, Menahan, Pavlovich.

Total 3

Absent or not voting: Gilbert.

Total 1

HB 721 - Representative Thomas moved that the free conference committee report on HB 721 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Darko, Driscoll, Eudaily, Fritz, Giacometto, Grady, Hansen, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel,

Menke, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 67

Noes: Asay, Brandewie, Campbell, Cohen, Daily, DeMars, Devlin, Ellison, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Jones, Keller, Kitselman, Koehnke, Mercer, Miller, Pistoria, Ramirez, Sales, Sands, Simon, Switzer, Thoft, Williams.

Total 30

Excused: Donaldson, Menahan, Pavlovich.

Total 3

Absent or not voting: None.

Total 0

HB 796 - Representative Driscoll moved that the free conference committee report on HB 796 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stratford, Swift, Thoft, Thomas, Vincent, Wallin, Whalen, Williams.

Total 81

Noes: Asay, D. Brown, Campbell, Cobb, Cohen, Fritz, Giacometto, Hanson, Phillips, Rehberg, Sales, Simon, Stang, Strizich, Switzer, Swysgood, Winslow.

Total 17

Paired: Menahan, Pavlovich, Ayes; Simon, Switzer, Noes.

Excused: Donaldson.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

HB 861 - Representative Addy moved that the conference committee report on HB 861 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Compton, Connelly, Corne', Daily, Darko, Devlin, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hannah, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Whalen, Williams.

Total 83

Noes: Brandewie, Campbell, Cody, Giacometto, Glaser, Grinde, Harp, Jones, Phillips, Ramirez, Swysgood, Wallin, Winslow, Mr. Speaker.
Total 14

Paired: Pavlovich, Aye; Grinde, No.

Excused: Donaldson, Menahan.
Total 2

Absent or not voting: DeMars.
Total 1

SB 340 - Representative Switzer moved that the conference committee report on SB 340 be adopted. Motion failed. (47-52)

Representative Hannah moved that the conference committee report on SB 340 be rejected. Motion failed. (48-50)

Representative Switzer moved that the House reconsider its action in rejecting the conference committee report on SB 340. Representative Kadas made a substitute motion that the motion to reconsider be layed on the table. The Kadas motion was ruled out of order.

The motion to reconsider passed. (50-48)

Representative Switzer moved that the conference committee report on SB 340 be adopted. Motion failed. (46-52)

Representative Hannah moved that the conference committee report on SB 340 be rejected. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, Driscoll, Eudaily, Fritz, Gilbert, Hansen, Harp, Harper, Harrington, Hoffman, Jones, Kadas, Keenan, Kennerly, Lory, Menahan, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Russell, Simon, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Wallin, Whalen, Williams.
Total 52

Noes: Asay, Bachini, D. Brown, Campbell, Cobb, Cody, Compton, DeMars, Devlin, Ellison, Giacometto, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Hayne, Holliday, Iverson, Jenkins, Keller, Koehnke, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Peterson, Phillips, Rehberg, Roth, Sales, Sands, Schye, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Winslow, Mr. Speaker.
Total 46

Paired: Menahan, Pavlovich, Ayes; Devlin, Grady, Noes.

Excused: Donaldson.
Total 1

Absent or not voting: Kitselman.
Total 1

Representatives Menke and Ream excused at this time.

SB 38 - Representative Jenkins moved that SB 38 be concurred in. Representative Sands made a substitute motion that SB 38, third reading copy, be amended. Amendment failed. (48-49)

Representative Gilbert excused at this time.

Representative Jenkins made a substitute motion that SB 38, third reading copy, be amended. Amendment failed. (32-66)

Representative Eudaily made a substitute motion that SB 38, third reading copy, be amended as follows:

1. Page 4, line 19.

Strike: "1987"

Insert: "1988"

2. Page 4, line 23.

Strike: "1987"

Insert: "1988"

3. Page 5, line 2.

Strike: "1987"

Insert: "1988"

4. Page 5, line 4.

Strike: "1987"

Insert: "1988"

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 88

Noes: Bardanouve, Daily, Hannah, Sales.

Total 4

Excused: Donaldson, Gilbert, Menahan, Menke, Pavlovich, Ream.

Total 6

Absent or not voting: Schye, Mr. Speaker.

Total 2

SB 38, as amended, concurred in as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Cohen, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Meyers, Miles, Nathe, Patterson, Peck, Peterson, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Swift, Switzer, Swysgood, Thoft, Wallin, Williams, Winslow, Mr. Speaker.

Total 58

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Gould, Hansen, Harrington, Keenan, Kennerly, McCormick, Mercer, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Raney, Ream, Russell, Schye, Squires, Stratford, Strizich, Thomas, Vincent, Whalen.

Total 40

Paired: Donaldson, Giacometto, Gilbert, Roth, Stang, Ayes; Harrington, Nisbet, Pavlovich, Ream, Schye, Noes.

Excused: Menahan, Menke.

Total 2

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gould moved the adoption of the committee report. Report adopted. (72-21)

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 390. Motion carried.

The Speaker appointed Representatives Ramirez, Brandewie, and Driscoll to the conference committee on House amendments to SB 390.

Representative Driscoll moved that the rules be suspended to allow the late drafting and introduction of a bill making Montana a monopoly for workers' compensation coverage. The motion failed to get the necessary two-thirds majority vote. (61-32)

Representative Hannah moved that the conference committee on Senate amendments to HB 460 be dissolved and the Speaker be authorized to appoint a free conference committee made up of the same members to meet with a like committee from the Senate to confer on HB 460. Motion carried.

The Speaker appointed the same conferees, Representatives Eudaily, Keenan, and Winslow to the free conference committee on HB 460.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 460
Report No. 1, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 460 met and considered:

House Bill No. 460 in its entirety.

We recommend as follows:

That House Bill No. 460, reference copy, be amended as follows:

1. Page 3, line 17.

Strike: "\$70"

Insert: "\$75"

2. Page 3, line 22.

Strike: "\$25"

Insert: "\$20"

3. Page 6, line 1.

Strike: "\$70"

Insert: "\$75"

4. Page 6, line 6.

Strike: "\$25"

Insert: "\$20"

And that this Free Conference Committee report be adopted.

For the Senate:

Regan, Chairman
Lynch
Harding

For the House:

Keenan
Eudaily
Winslow

Free Conference Committee
on House Bill No. 867
Report No. 1, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 867 met and considered:

House Bill No. 867 in its entirety.

We recommend as follows:

That House Bill No. 867, reference copy, be amended as follows:

1. Page 2, line 18.

Following: "~~(1)~~"

Insert: "(1)"

2. Page 3, line 6.

Strike: "~~(1)~~"

Insert: "~~(a)~~"

Following: "1988"

Insert: ", unless Montana is still in consideration for this site"

Following: ".,"

Insert: "and"

3. Page 3, line 7.

Strike: "~~(2)~~"

Insert: "~~(b)~~"

Following: "BEEN"

Insert: "at least"

4. Page 3, line 8 through line 10.

Following: "SPENT" on line 8

Strike: remainder of line 8 through "SITE" on line 10

5. Page 3, line 10.

Following: ".,"

Strike: "ANY"

Insert: "~~(2)~~ If Montana is no longer in consideration for this site, any"

Following: "BALANCE"

Insert: "of the \$300,000 appropriation"

6. Page 3.

Following: line 11

Insert: "(3) The appropriation in subsection (1) includes additional spending authority for any amount of matching funds donated by the public."

7. Page 3.

Following: line 18

Insert: "Section 2. Procurement of services. The appropriation in section 1 may be expended for sole source procurement of necessary services whenever the time constraints imposed by the U.S. department of energy make such procurement necessary."

Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the Senate:

Haffey, Chairman
Manning
Thayer

For the House:

Gould
Rehberg
Vincent

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House adjourn until 11:00 a.m., April 22, 1987.

Motion carried.

House adjourned at 7:28 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

EIGHTY-NINTH LEGISLATIVE DAY

Helena, Montana
April 22, 1987

House Chambers
State Capitol

House convened at 11:25 a.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eighty-seventh legislative day, find the same to be correct.

Hayne, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/22/87

Correctly engrossed: HJR 60, SB 38.

Correctly enrolled: HB 326, HB 442, HB 567, HB 586, HB 627, HB 697, HB 752, HJR 52, HJR 53.

Examined by the sponsor and found to be correct:

HB 326 - Addy HB 697 - Connelly

HB 442 - Mercer HB 752 - Winslow

HB 567 - Ramirez HJR 52 - Simon

HB 586 - Gould HJR 53 - Bulger

HB 627 - Strizich

Signed by the Speaker at 3:00 p.m., 4/21/87: HB 163, HB 837, HB 870, HB 880.

Signed by the Speaker at 5:30 p.m., 4/21/87: HB 436, HB 581, HB 666, HB 703, HB 743, HB 816, HB 863, HB 864, HJR 46, HJR 49.

Signed by the Speaker at 3:15 p.m.: HB 326, HB 586.

Signed by the Speaker at 4:15 p.m.: HB 442, HB 567, HB 627, HB 697, HB 752, HJR 52, HJR 53.

Delivered to the Governor for his approval at 5:35 p.m.: HB 863.

HUMAN SERVICES AND AGING (Gould, Chairman):

4/22/87

SJR 13, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee

on Senate Bill No. 48

Report No. 1, April 21, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 48 met and considered:

Senate Bill No. 48 in its entirety.

We recommend as follows:

That Senate Bill No. 48, reference copy, be amended as follows:

1. Title, line 9.

Strike: "\$50,000"

Insert: "\$100,000"

2. Page 1, line 15.

Strike: "5"

Insert: "6"

3. Page 1, line 18.

Following: "earnings,"

Strike: "loss of bodily function,"

4. Page 1, lines 20 and 21.

Following: "money" on line 20

Strike: remainder of line 20 through "property" on line 21

5. Page 1.

Following: line 22

Insert: "Section 2. Findings by trier of fact — civil actions. In any action for personal injury, property damage, or wrongful death where liability is found after trial and in which \$100,000 or more in future damages is awarded to the claimant, the trier of fact shall make a separate finding as to the amount of any future damages so awarded and state whether the amount of future damages has been reduced to present value."

Renumber: subsequent sections

6. Page 1, line 25.

Strike: "\$50,000"

Insert: "\$100,000"

7. Page 2, line 9.

Strike: "THEY REPRESENT"

8. Page 2, lines 16 through 23.

Following: "CLAIMANT." on line 16

Strike: remainder of line 16 through line 23

9. Page 5, line 6.

Strike: "5"

Insert: "6"

And that this Free Conference Committee report be adopted.

For the Senate:

Halligan, Chairman

Mazurek

Crippen

For the House:

Lory

Keller

Addy

Free Conference Committee

on Senate Bill No. 71

Report No. 1, April 20, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 71 met and considered:

Senate Bill No. 71 in its entirety.

We recommend as follows:

That Senate Bill No. 71, reference copy, be amended as follows:

1. Page 7.

Following: line 18

Insert: "(10) The limitation on the amount of taxes levied does not apply to levies required to address the funding of relief of suffering of inhabitants caused by famine, conflagration, or other public calamity."

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Blaylock, Chairman
Beck
Gage

Ramirez
Gilbert
Kadas

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 22, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 455 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 22, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 776, "AN ACT TO EXEMPT CERTAIN STRIPPER WELLS AND, FOR THE FIRST 2 YEARS OF PRODUCTION, ALL OTHER WELLS PRODUCING PETROLEUM, NATURAL GAS, OR OTHER MINERAL OR CRUDE OIL FROM SEVERANCE TAXES; TO LOWER THE SEVERANCE TAX RATE TO 3 PERCENT FOR CERTAIN STRIPPER WELLS; AMENDING SECTIONS 15-23-607, 15-23-612, 15-36-101, AND 15-36-121, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND, A RETROACTIVE APPLICABILITY DATE, AND A CONTINGENT TERMINATION DATE." without my signature and recommend the attached amendments, which implement the bill's intent and have been concurred in by its sponsors.

The intent of the legislation, judging by the language on page 6 of the bill, was to exempt from the severance taxation the first 5 barrels of oil produced per day from a stripper. However, the exemption language on page 10, lines 15 through 17, is not consistent with that intent. I propose an amendment to implement that intent.

The bill does not provide for a method of measuring production of natural gas wells to determine if the gas qualifies for the severance tax exemption or reduced rate. The amendments provide such a method for measuring production.

The amendments also clarify that the first 30,000 cubic feet of average daily production of natural gas are exempt from the severance tax. In its

present form, the bill exempts only the first 30,000 cubic feet of gas production each quarter.

Finally, the amendments remove from the definition of a stripper well ambiguous language regarding measurement of oil production and determination of the tax exemption or reduced rate of taxation.

Governor's Proposed Amendments
to HB 776

1. Page 10, lines 8 and 9.

Following: the first "for" on line 8

Strike: "1"

Insert: "the calendar"

Following: "to the"

Strike: "quarter for which production is reported as required by 15-36-105 is TAXED AS FOLLOWS:"

Insert: "current year shall be taxed as provided in this section. Production must be determined by dividing the amount of production from a lease or unitized area for the year prior to the current calendar year by the number of producing wells in the lease or unitized area, and by dividing the resulting quotient by 365."

2. Page 10, line 10.

Following: "FEET OF"

Strike: "GAS PRODUCED"

Insert: "average daily production per well"

Strike: "(A) THE"

Insert: "The"

3. Page 10, line 11.

Strike: ":",

Insert: ":",

4. Page 10, line 12.

Strike: "AND"

5. Page 10, line 13.

Strike: "(B) EVERYTHING"

Insert: "Everything"

6. Page 10, line 15.

Following: "(4)"

Strike: "All production"

Insert: "The first 5 barrels of average daily production"

Following: "well" on line 15

Strike: "THAT PRODUCES 5 BARRELS OR LESS A DAY IS"

Insert: "are"

7. Page 11, lines 8 and 9.

Following: "day" on line 8

Strike: "and, if otherwise not specifically determinable, production must be"

8. Page 12, line 1.

Following: "(5)"

Insert: "(a)"

9. Page 12, line 2.

Following: "section"

Strike: "3"

Insert: "4"

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 22, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 183, "AN ACT TO PROVIDE, THROUGH A STATEWIDE LEVY AND THE NET LOTTERY REVENUE, STATE AID TO ASSIST THE COUNTIES IN EQUALIZING A PORTION OF THE RETIREMENT FUND OBLIGATIONS OF ELEMENTARY AND HIGH SCHOOL DISTRICTS; TO PROVIDE A METHOD FOR DETERMINING THE LEVEL OF STATE AID AND DISTRIBUTING SUCH AID; AMENDING SECTIONS ~~17-7-502~~, 20-3-106, AND 20-9-501, MCA, AND SECTION 13, CHAPTER 669, LAWS OF 1985; AND PROVIDING A DELAYED EFFECTIVE DATE," without my signature and recommend the attached amendments, with which the sponsor has concurred.

Senate Bill No. 183 requires every county to levy a minimum of nine mills to equalize teachers' retirement contributions. Since nearly twenty counties levied fewer than nine mills in 1986, these counties would be required to increase their mill levies, directly contradicting the property tax freeze initiative (I-105) approved last fall by Montana voters.

Legislation to implement I-105 was under consideration at the time Senate Bill No. 183 was being considered in committees, but subsequent defeat of such legislation automatically triggers a property tax freeze, effective July 1, 1987. It would therefore be unacceptable to enact legislation that requires more than one-third of Montana counties to raise local property tax mill levies.

The administration concurs in the efforts to equalize statewide mill levies for teachers' retirement, but requiring a mandatory nine mill levy to achieve that goal has been rendered inappropriate by legislative inaction on I-105.

Elimination of the requirement to impose a nine-mill levy in every county by these amendments will enable counties to comply with the upcoming property tax freeze. These amendments would reallocate lottery funds to counties that currently levy more than nine mills, thereby reducing the property tax burden in the higher mill levy counties and achieving a degree of equalization.

I urge your concurrence in my amendments.

Governor's Proposed Amendments
to SB 183

1. Title, line 5.
Following: "THROUGH"

Strike: "A"

2. Title.

Following: line 5

Strike: "STATEWIDE LEVY AND"

3. Title, line 7.

Following: "ASSIST"

Strike: "THE"

Insert: "HIGH LEVY"

Strike: "EQUALIZING"

Insert: "PAYMENT OF"

4. Title, line 9.

Following: "METHOD"

Insert: "OF ESTABLISHING COUNTY ENTITLEMENT AND"

5. Page 2, line 6.

Following: "money"

Strike: "from the statewide levy"

6. Page 2.

Following: line 6

Strike: "3"

Insert: "2"

7. Page 2, line 13 through page 3, line 11.

Strike: section 2 in its entirety

Renumber: subsequent sections

8. Page 3, line 17.

Following: "available from" on line 16

Strike: "," on line 16 through "and" on line 17

9. Page 3, lines 19 and 20.

Following: "374]," on line 19

Strike: "," on line 19 through "2" on line 20

10. Page 3.

Following: line 20

Insert: "(b) establishing a list containing each county that levied in the prior school fiscal year in excess of 9 mills to fund its required contribution for retirement fund obligations;"

Renumber: subsequent subsections

11. Page 3, line 23.

Following: "total"

Strike: "state"

Following: "ANB"

Insert: "of the counties listed pursuant to (1)(b)"

12. Page 3, line 25.

Strike: "each"

Following: "notify"

Insert: "the"

Following: "superintendent"

Insert: "of each county listed in (1)(b)"

13. Page 4, line 9.

Following: "distributing"

Strike: remainder of line 9

Insert: "by October 1"

14. Page 4, line 10.

Following: "county"

Strike: "."

Insert: "listed pursuant to (1)(b)"

15. Page 4.

Following: line 10

Strike: line 11 in its entirety through "20-9-344" on line 14

16. Page 4, line 20.

Following: "subsection"

Strike: "(1)(b)"

Insert: "(1)(c)"

17. Page 4, line 21.

Following: "county"

Strike: "will"

Insert: "listed pursuant to (1)(b) must"

18. Page 11, line 25.

Following: "[section]"

Strike: "3"

Insert: "2"

19. Page 14, line 23.

Following: "⁴"

Strike: "3"

Insert: "2"

20. Page 17, line 11.

Following: "section ~~3~~"

Strike: "OF SENATE BILL NO. 183"

Insert: "2"

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 22, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return Senate Bill No. 383, "AN ACT DEFINING "INTERIM PRODUCTION" OF PETROLEUM, OIL, AND NATURAL GAS; REVISING THE DEFINITION OF "NEW PRODUCTION" OF PETROLEUM, OIL, AND NATURAL GAS; EXTENDING THE UNIFORM RATE OF NET PROCEEDS TAXATION TO INTERIM PRODUCTION AND REDEFINED NEW PRODUCTION; PROVIDING FOR THE EXEMPTION FROM NET PROCEEDS TAXES FOR ~~24~~ ~~12~~ ~~24~~ 12 MONTHS FOR NEW PRODUCTION FROM NATURAL GAS, PETROLEUM, AND OIL WELLS; PROVIDING FOR PRORATING OF DEDUCTIONS TO DETERMINE NET

PROCEEDS; PROVIDING FOR QUARTERLY PAYMENT OF INTERIM PRODUCTION AND NEW PRODUCTION NET PROCEEDS TAXES; REVISING THE DEFINITION OF "TAXABLE VALUATION" AS IT APPLIES TO COUNTY CLASSIFICATION; AMENDING SECTIONS 7-1-2111, 7-7-2101, 7-7-2203, 7-14-2524, 7-14-2525, 7-16-2327, 15-6-208, 15-16-102, 15-16-121, 15-23-601 THROUGH 15-23-605, 15-23-607, 15-23-612, 15-23-613, 20-9-141, 20-9-331, 20-9-333, 20-9-352, 20-9-501, AND 20-10-144, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE." without my signature and recommend the attached amendments for the following reasons.

My amendments, which have been concurred in by the sponsor, correct inconsistencies within the bill, allowing the bill to be implemented as intended.

The January 1, 1987, date included in the definition of interim production on page 11 of the bill is inconsistent with the April 1, 1987, applicability date of the act. My first amendment changes the date to April 1.

The definitions of interim and new production contain language on the treatment of leases with unitized areas that is inconsistent with the well basis for qualifying for new or interim production. My second through eleventh amendments remove the conflicting language.

Finally, the tax status of wells that formerly did not qualify for the flat 7% or 12% proceeds tax, but will qualify after April 1, needs to be clarified. My twelfth amendment provides that clarification.

I urge your concurrence in these amendments.

Governor's Proposed Amendments
to SB 383

1. Page 11, line 20.

Strike: "January"

Insert: "April"

2. Page 11, line 13.

Following: "(2)"

Strike: "(a)"

3. Page 11.

Following: line 15

Strike: "(i)"

Insert: "(a)"

4. Page 11.

Following: line 18

Strike: "(ii)"

Insert: "(b)"

5. Page 11, line 21 through page 12, line 3.

Strike: subsection (b) in its entirety

6. Page 12, line 4.

Following: "(3)"

Strike: "(a)"

7. Page 12.

Following: line 6

Strike: "(i)"

Insert: "(a)"

8. Page 12.

Following: line 9

Strike: "(ii)"

Insert: "(b)"

9. Page 12, lines 12 through 19.

Strike: subsection (b) in its entirety

10. Page 43, line 4.

Following: "If"

Strike: "both this act and"

Following: "776"

Strike: "are"

Insert: "is"

11. Page 43, line 5.

Following: "section"

Strike: "10(3)(a)(ii)"

Insert: "10(3)(b)"

12. Page 43, line 10.

Following: "1987."

Insert: "The tax rate and filing method applicable to a well that qualifies as interim production under section 10 but which did not qualify as new production under 15-23-601 prior to the applicability date of this act does not change for tax periods prior to the applicability date."

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/21/87

HB 889, introduced by Winslow

The Senate, on 4/21/87, dissolved the conference committee on Senate amendments to HB 233 and appointed a free conference committee to meet with a like committee from the House to confer on HB 233.

The President appointed the following members:

Senator Walker, Chairman
Senator Rasmussen
Senator Regan

The Senate, on 4/21/87, dissolved the conference committee on Senate amendments to HB 256 and appointed a free conference committee to meet with a like committee from the House to confer on HB 256.

The President appointed the following members:

Senator Pinsoneault, Chairman
Senator Mazurek
Senator Lybeck

The Senate, on 4/21/87, dissolved the conference committee on Senate amendments to HB 460 and appointed a free conference committee to meet with a like committee from the House to confer on HB 460.

The President appointed the following members:

Senator Lynch, Chairman
Senator Regan
Senator Harding

The Senate, on 4/21/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 726.

The President appointed the following members:

Senator Jacobson, Chairman
Senator Anderson
Senator McLane

The Senate, on 4/21/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 754.

The President appointed the following members:

Senator Stimatz, Chairman
Senator Kolstad
Senator Bengtson

The Senate, on 4/21/87, dissolved the free conference committee on SB 74 and appointed a new free conference committee to meet with a like committee from the House to confer on SB 74.

The President appointed the following members:

Senator Mazurek, Chairman
Senator McCallum
Senator B. Brown

MOTIONS

Representative Hannah moved that the conference committee on SB 340 be dissolved and that the Speaker be authorized to appoint a free conference committee of the same members to meet with a like committee from the Senate. Motion carried.

The Speaker appointed the same conferees, Representatives Switzer, Patterson, and Koehnke to the free conference committee on SB 340.

Representative Hannah moved that the conference committee on SJR 14 be dissolved and that the Speaker be authorized to appoint a free conference committee of the same members to meet with a like committee from the Senate. Motion carried.

The Speaker appointed the same conferees, Representatives Ramirez, Wallin, and D. Brown to the free conference committee on SJR 14.

Representative Hannah moved that consideration of HB 891 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 904 on second reading be passed for the day. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 906 on second reading be passed for the day. Motion carried.

Representative Bardanouve moved that the rules be suspended to allow the late drafting and introduction of a bill to make the Switzer amendments to HB 2 do what they were intended to do regarding the welfare budget. Motion carried. (82-18)

Representative Bradley moved that HB 542 be taken from the table in the Committee on Judiciary and printed and placed on second reading. After debate, Representative Daily moved the previous question. Motion carried. The Bradley motion failed. (49-51)

Representative Moore moved that the rules be suspended to allow HB 474, as amended by the Senate, to be considered by the House. Motion failed to get the necessary two-thirds majority vote. (52-46)

Representative Addy moved that SB 55 be taken from the table in the Committee on Taxation and printed and placed on second reading. Motion failed. (42-54)

The Legislative Finance Committee and Representatives Hannah and Schye excused at this time.

Representative Fritz moved that the rules be suspended to allow HB 377, Ramirez' sales tax bill, as amended by the Senate, to be considered by the House. Motion failed to get the necessary two-thirds majority vote as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cody, Connelly, Corne', Devlin, Donaldson, Eudaily, Fritz, Giacometto, Grady, Grinde, Hayne, Hoffman, Holliday, Jenkins, Jones, Kadas, Keller, Kitselman, Lory, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow.

Total 61

Noes: D. Brown, Cobb, Cohen, Compton, Daily, Darko, DeMars, Driscoll, Ellison, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Iverson, Keenan, Kennerly, Koehnke, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Russell, Schye, Squires, Strizich, Whalen, Williams, Mr. Speaker.

Total 39

Paired: Asay, Bardanouve, Brandewie, Eudaily, Giacometto, Menke, Mercer, Miller, Poulsen, Ramirez, Spaeth, Winslow, Ayes; Hannah, Harrington, Keenan, Miles, Schye, Squires, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Strizich moved that the House move to order of business nine before taking a break for lunch. Motion carried.

Representatives Bardanouve, Mercer, and Poulsen present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 60 passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Glaser, Gould, Grady, Hansen, Harp, Harper, Harrington, Hayne, Holliday, Iverson,

Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Simon, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Vincent, Wallin, Whalen, Williams, Mr. Speaker.

Total 81

Noes: Campbell, Devlin, Giacometto, Gilbert, Grinde, Hanson, Hoffman, Jones, Menke, Sales, Smith, Swift, Switzer, Thomas.

Total 14

Excused: Hannah, Miller, Schye, Winslow.

Total 4

Absent or not voting: Spaeth.

Total 1

Representatives Miller and Winslow present at this time.

SB 38 concurred in as follows:

Ayes: Asay, Bardanouve, Bradley, Brandewie, Campbell, Cobb, Cody, Cohen, Compton, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Grady, Grinde, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Miles, Nathe, Patterson, Peck, Peterson, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stang, Swift, Switzer, Swysgood, Thoft, Wallin, Williams, Winslow, Mr. Speaker.

Total 59

Noes: Addy, Bachini, D. Brown, J. Brown, Bulger, Connelly, Corne', Daily, Darko, Driscoll, Fritz, Gould, Hansen, Harrington, Keenan, Kennerly, McCormick, Mercer, Meyers, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poulsen, Quilici, Raney, Ream, Russell, Schye, Squires, Stratford, Strizich, Thomas, Vincent, Whalen.

Total 39

Paired: Menahan, Aye; Schye, No.

Excused: Hannah.

Total 1

Absent or not voting: Spaeth.

Total 1

HJR 47, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 90

Noes: Campbell, Cobb, Giacometto, Grinde, Meyers, Stang, Stratford, Williams.

Total 8

Excused: Hannah, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 206, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Glaser, Gould, Grinde, Hansen, Hanson, Harp, Harrington, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Bardanouve, Cobb, Gilbert, Harper, Hayne, Kadas, Keller, Menke, Meyers.

Total 9

Excused: Hannah, Schye.

Total 2

Absent or not voting: Grady.

Total 1

HB 241, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Williams, Winslow, Mr. Speaker.

Total 81

Noes: Daily, Driscoll, Fritz, Harrington, Jones, Kadas, Keenan, McCormick, Miles, Nisbet, O'Connell, Raney, Ream, Squires, Wallin, Whalen.

Total 16

Excused: Hannah, Schye.

Total 2

Absent or not voting: Quilici.

Total 1

HB 252, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', Daily, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser,

Grady, Grinde, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Bardanouve, Bradley, Cohen, Connelly, Darko, Gould, Hansen, Kadas, Kennerly, Nisbet, Raney, Ream, Strizich.

Total 13

Excused: Hannah, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 459, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Gould, Grady, Grinde, Hanson, Harp, Harper, Harrington, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 79

Noes: Campbell, Cobb, Devlin, Donaldson, Giacometto, Gilbert, Glaser, Hayne, Jones, Keller, Kitselman, Meyers, Patterson, Poulsen, Raney, Stratford.

Total 16

Excused: Hannah, Schye.

Total 2

Absent or not voting: Ellison, Hansen, Koehnke.

Total 3

HB 721, free conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Grady, Hansen, Harper, Harrington, Hoffman, Holliday, Iverson, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Poff, Poulsen, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Asay, Cohen, Daily, Devlin, Gilbert, Glaser, Gould, Grinde, Hanson, Harp, Hayne, Jenkins, Jones, Keller, Kitselman, Koehnke, Mercer, Patterson, Pavlovich, Pistoria, Quilici, Ramirez, Sales, Sands, Simon, Switzer, Thoft.

Total 27

Excused: Hannah, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 796, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Spaeth, Squires, Stratford, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 81

Noes: D. Brown, Campbell, Cobb, Giacometto, Hanson, Jones, Kennerly, Phillips, Quilici, Rehberg, Sales, Simon, Smith, Stang, Strizich, Swysgood.

Total 16

Excused: Hannah, Schye.

Total 2

Absent or not voting: Miles.

Total 1

HB 861, conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Daily, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Whalen, Williams, Winslow.

Total 79

Noes: Asay, Brandewie, Campbell, Cody, Compton, Giacometto, Glaser, Grinde, Harp, Iverson, Jenkins, Jones, Phillips, Ramirez, Swysgood, Wallin, Mr. Speaker.

Total 17

Excused: Hannah, Schye.

Total 2

Absent or not voting: DeMars, Menke.

Total 2

SB 64, conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp,

Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 93

Noes: Cobb, Meyers, Sands, Whalen.

Total 4

Excused: Hannah, Schye.

Total 2

Absent or not voting: Menke.

Total 1

MOTIONS

Representative Eudaily moved that the House stand in recess until 2:40 p.m. Motion carried.

House recessed at 1:20 p.m. for lunch.

House reconvened at 2:45 p.m.

Mr. Speaker in the Chair.

Representative Hannah present at this time.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 340
Report No. 1, April 22, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 340 met and considered:

House Taxation Committee amendments to the third reading copy, dated April 7, 1987; and

House Committee of the Whole amendments to the third reading copy, dated April 10, 1987.

We recommend as follows:

That Senate Bill No. 340, reference copy, be amended as follows:

1. Title, line 11.

Following: "~~POULTRY~~,"

Insert: "BEES, POULTRY,"

2. Title, line 13.

Strike: "20"

Insert: "24"

3. Title, line 15.

Following: "~~POULTRY~~"

Insert: ", POULTRY, AND BEES"

4. Title, line 16.

Following: "POULTRY"

Insert: ", POULTRY, AND BEE"

5. Page 2, line 13.

Strike: "POULTRY, BEES,"

6. Page 4, line 8.

Strike: "20"

Insert: "24"

7. Page 4, line 10.

Strike: "AND"

8. Page 4, line 15.

Following: "JANUARY 1"

Insert: ";

(f) poultry and the unprocessed products of poultry; and

(g) bees and the unprocessed product of bees"

9. Page 9, line 18.

Strike: "livestock"

Insert: "poultry and bees,"

10. Page 9, line 19.

Strike: "(EXCEPT SWINE) 9 MONTHS OF AGE OR OLDER AND ON"

11. Page 9, line 20.

Following: "OLDER"

Insert: ", and all other livestock 9 months of age or older"

12. Page 10, line 2.

Following: "swine,"

Insert: "poultry, bees,"

13. Page 10, line 20.

Following: "[SECTION 10]"

Insert: "and for reimbursement to the counties pursuant to 15-24-925 for collection of the levy"

14. Page 10, line 22.

Strike: "Transmission"

Insert: "Reimbursement to county — transmission"

15. Page 10, line 24.

Strike: "THE"

Insert: "(1) The county treasurer may withhold 2% of the money received under 15-24-921 as reimbursement to the county for the collection of the levy on livestock.

(2) Except for the amount withheld under subsection (1), the"

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Severson, Chairman

Switzer

Hager

Patterson

Hirsch

Koehnke

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

4/22/87

HJR 50, introduced by Keenan

HJR 54, introduced by Bradley

Conference committee reports adopted:

4/22/87

HB 206, free conference committee report

HB 252, free conference committee report on Governor's amendments

HB 796, free conference committee report no. 3

SB 74, free conference committee report no. 2

The Senate, on 4/22/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 2.

The President appointed the following members:

Senator Regan, Chairman
Senator Jacobson
Senator Hammond

The Senate, on 4/22/87, appointed a free conference committee, requesting that the House appoint a like committee to confer on Governor's amendments to SB 103.

The President appointed the following members:

Senator Hager, Chairman
Senator Lynch
Senator Neuman

The Senate, on 4/22/87, dissolved the conference committee on House amendments to SB 340 and appointed a free conference committee to meet with a like committee from the House to confer on SB 340.

The President appointed the following members:

Senator Severson, Chairman
Senator Hirsch
Senator Hager

The Senate, on 4/22/87, dissolved the conference committee on House amendments to SJR 14 and appointed a free conference committee to meet with a like committee from the House to confer on SJR 14.

The President appointed the following members:

Senator Yellowtail, Chairman
Senator Gage
Senator Eck

The Senate, on 4/22/87, adopted the free conference committee report no. 2 on HB 721. In accordance with Joint Rule No. 7-10, HB 721, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, passed third reading with the following vote: 4/22/87

YEAS - 31
NAYS - 29

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 912, introduced by Bardanouve. Referred to Committee on Appropriations.

MOTIONS

Representative Hannah moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Governor's amendments to SB 103. Motion carried.

The Speaker appointed Representatives Swysgood, Harp, and Harper to the free conference committee on SB 103.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 228 - Representative Bardanouve moved that SB 228, third reading copy, be amended as follows:

1. Page 4, line 15.

Following: "(2)"

Insert: "Beginning on July 1, 1987, the legislature shall appropriate 2% of the income and earnings from all funds to be deposited to the coal severance tax permanent fund each year."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Glaser, Grady, Hansen, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 84

Noes: Campbell, Daily, Gilbert, Gould, Grinde, Hannah, Hanson, Harrington, Jones, Ream, Sales, Simon, Smith, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: Ellison, Menahan.

Total 2

Representative Asay moved that SB 228, third reading copy, be further amended. Amendment failed. (22-76)

Representative Winslow moved that SB 228, third reading copy, be further amended as follows:

1. Page 3.

Following: line 24

Insert: "(j) 2% to the state special revenue for the Montana Growth Through Agriculture Act;"

Renumber: subsequent subsection

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Daily, DeMars, Devlin, Donaldson, Ellison, Giacometto, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Koehnke, Lory, Manuel, Menahan, Mercer, Miller, Nathe, Patterson, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Schye, Simon, Spaeth, Stratford, Switzer, Swysgood, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 49

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Darko, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hansen, Harper, Harrington, Kadas, Keenan, Kitselman, McCormick, Menke, Meyers, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Poulsen, Quilici, Raney, Ream, Sales, Sands, Smith, Squires, Strizich, Swift, Thoft, Whalen, Williams.

Total 47

Excused: None.

Total 0

Absent or not voting: Bardanouve, Kennerly, Pistoria, Stang.

Total 4

Representatives Schye, Thoft, Thomas, and Rehberg excused at this time.

Representative Hannah moved that SB 228, third reading copy, be further amended as follows:

1. Bardanouve amendment, dated 4/14/87, (15:00).

Strip: Bardanouve amendment in its entirety

2. Page 2, line 16.

Strike: "20%" through "and" on line 18

3. Page 2.

Following: line 21

Insert: "(c) 20% to the state special revenue fund to the credit of the education trust fund account;"

Renumber: subsequent subsections

4. Page 2, line 22.

Strike: "44.2%"

Insert: "24.2%"

5. Page 4, line 11.

Strike: "subsection"

Insert: "subsections"

6. Page 4, line 12.

Following: "(2)"

Insert: "and (3)"

7. Page 4.

Following: line 14

Insert: "(2) Beginning on July 1, 1987, the legislature shall appropriate 10% of the income and earnings from all funds to be deposited

to the coal severance tax permanent fund each year. The funds appropriated to the coal severance tax permanent fund under this subsection may not be further appropriated except by vote of three-fourths of the members of each house of the legislature."

Renumber: subsequent subsections

8. Page 16, line 18.

Strike: "1986"

Insert: "1987"

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Jones, Keller, Kitselman, Lory, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 51

Noes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 49

Paired: Hannah, Rehberg, Thoft, Thomas, Ayes; Menahan, Moore, Ream, Schye, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Asay moved that SB 228, as amended, be concurred in.

Representative Spaeth made a substitute motion that SB 228, third reading copy, be further amended. Amendment failed. (47-52)

SB 228, as amended, concurred in as follows:

Ayes: Addy, Asay, Brandewie, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Peterson, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Smith, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 73

Noes: Bachini, Bardanouve, Bradley, D. Brown, Cody, Cohen, Corne', Glaser, Hansen, Harper, Keenan, Kennerly, Menahan, Miles, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poulsen, Ream, Simon, Spaeth, Squires, Stang, Whalen.

Total 26

Paired: Rehberg, Thoft, Thomas, Ayes; Cody, Menahan, Ream, Noes.

Excused: Schye.

Total 1

Absent or not voting: None.

Total 0

Representatives Spaeth, Smith, Marks, and Poulsen excused at this time.

SJR 13 - Representative Sands moved that SJR 13 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow.

Total 85

Noes: Campbell, Giacometto, Glaser, Meyers, Stang.

Total 5

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: Nathe, O'Connell.

Total 2

HB 39 - Representative Donaldson moved that the Governor's amendments to HB 39 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Vincent, Wallin, Whalen, Williams, Winslow.

Total 87

Noes: Campbell, Glaser, Sales, Swysgood.

Total 4

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: O'Connell.

Total 1

HB 233 - Representative Bardanouve moved that the free conference committee report on HB 233 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Vincent, Wallin, Whalen, Williams, Winslow.

Total 89

Noes: Glaser, Swysgood.

Total 2

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: O'Connell.

Total 1

Representative Bulger in the Chair.

HB 867 - Representative Vincent moved that the free conference committee report on HB 867 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Hansen, Hanson, Harp, Harrington, Hoffman, Holliday, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Roth, Russell, Sands, Squires, Stang, Stratford, Strizich, Swift, Vincent, Wallin, Whalen, Williams, Winslow.

Total 72

Noes: Asay, Campbell, Glaser, Grinde, Hannah, Harp, Hayne, Iverson, Jones, Keller, Menke, Meyers, Phillips, Rapp-Svrcek, Sales, Simon, Switzer, Swysgood.

Total 18

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: Devlin, O'Connell.

Total 2

SB 48 - Representative Addy moved that the free conference committee report on SB 48 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson,

Phillips, Pistoria, Poff, Quilici, Ramirez, Ream, Roth, Russell, Sales, Sands, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow.

Total 85

Noes: Driscoll, Jones, Raney, Squires, Whalen.

Total 5

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: O'Connell, Rapp-Svrcek.

Total 2

Representative Addy in the Chair.

SB 71 - Representative Ramirez moved that the free conference committee report on SB 71 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Williams, Winslow.

Total 84

Noes: D. Brown, Campbell, Glaser, Hannah, Harp, Sands, Whalen.

Total 7

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: O'Connell.

Total 1

SB 74 - Representative Ellison moved that the free conference committee report on SB 74 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow.

Total 89

Noes: None.

Total 0

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: Kadas, O'Connell, Squires.

Total 3

HB 460 - Representative Keenan moved that the free conference committee report on HB 460 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Vincent, Wallin, Whalen, Williams, Winslow.

Total 87

Noes: Campbell, Giacometto, Hannah, Jones, Patterson.

Total 5

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Thomas, Mr. Speaker.

Total 8

Absent or not voting: None.

Total 0

Representative Thomas present at this time.

SB 340 - Representative Switzer moved that the free conference committee report on SB 340 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Corne', DeMars, Devlin, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Roth, Sales, Sands, Schye, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 70

Noes: Bradley, Cohen, Connelly, Daily, Darko, Fritz, Giacometto, Hansen, Harper, Harrington, Keenan, Kennerly, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Quilici, Ream, Russell, Squires, Whalen.

Total 23

Paired: Schye, Aye; Keenan, No.

Excused: Poulsen, Rehberg, Smith, Spaeth, Thoft, Mr. Speaker.

Total 6

Absent or not voting: Donaldson.

Total 1

HB 776 - Representative Nathe moved that the Governor's amendments to HB 776 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 83

Noes: Bardanouve, Cody, Cohen, Driscoll, Hansen, Harper, Kadas, Keenan, Raney, Whalen.

Total 10

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.

Total 7

Absent or not voting: None.

Total 0

SB 383 - Representative Patterson moved that the Governor's amendments to SB 383 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 85

Noes: Cody, Cohen, Hansen, Harper, Nisbet, Peck, Raney, Whalen.

Total 8

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.

Total 7

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tem in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (72-18)

MOTIONS

Representative Winslow moved that the rules be suspended to allow HB 889, the Montana Growth in Agriculture Act, to be accepted back in the House as amended by the Senate. Motion failed to get the necessary two-thirds majority vote. (64-28)

Representative Kitselman moved that the rules be suspended to allow a lobbyist on the floor during the session. He explained that this was Leo

Berry Day and they wanted to bring him to the well of the House to be recognized. Motion carried. (70-16)

Representative Bradley moved that she be allowed to change her vote on the free conference committee report on HB 252 on third reading from yes to no. Motion carried.

Representative Hannah moved that the conference committee on Senate amendments to HB 123 be dissolved and that the Speaker be authorized to appoint a free conference committee made up of the same members to meet with a like committee from the Senate. Motion carried.

The Speaker appointed the same conferees, Representatives Mercer, Keller, and Bradley to the free conference committee on HB 123.

Representative Williams moved that he be allowed to change his vote on the free conference committee report on HB 721 on third reading from no to yes. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 39, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 87

Noes: Campbell, Nathe, Swysgood.

Total 3

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.

Total 7

Absent or not voting: Corne', Ellison, Peterson.

Total 3

HB 776, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rapp-Svrcek, Roth, Sales, Sands, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 73

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Driscoll, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Nisbet, O'Connell, Quilici, Raney, Ream, Russell, Squires, Whalen.

Total 20

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.
Total 7

Absent or not voting: None.
Total 0

SB 383, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Roth, Russell, Sales, Sands, Simon, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.
Total 74

Noes: Bardanouve, Bradley, Bulger, Cody, Cohen, Driscoll, Hansen, Harper, Kadas, Keenan, Kennerly, Nisbet, O'Connell, Raney, Ream, Squires, Strizich, Whalen.
Total 18

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.
Total 7

Absent or not voting: Meyers.
Total 1

HB 233, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 88

Noes: D. Brown, Campbell, Daily, Giacometto, Swysgood.
Total 5

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.
Total 7

Absent or not voting: None.
Total 0

HB 460, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hayne, Hoffman, Holliday,

Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Roth, Russell, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 82

Noes: Brandewie, Campbell, Cohen, Giacometto, Glaser, Hannah, Harp, Jones, Patterson, Raney, Sales.
Total 11

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.
Total 7

Absent or not voting: None.
Total 0

HB 867, free conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harper, Harrington, Hoffman, Holliday, Jenkins, Kadas, Keenan, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Roth, Russell, Sands, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.
Total 76

Noes: Asay, Campbell, Glaser, Hannah, Harp, Hayne, Iverson, Jones, Keller, Menke, Meyers, Phillips, Rapp-Svrcek, Sales, Simon, Swysgood.
Total 16

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.
Total 7

Absent or not voting: Cohen.
Total 1

SB 48, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.
Total 87

Noes: Driscoll, Harrington, Jones, Raney, Squires, Whalen.
Total 6

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.
Total 7

Absent or not voting: None.

Total 0

SB 71, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harper, Hayne, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Williams, Winslow.

Total 83

Noes: D. Brown, Daily, Driscoll, Hannah, Harp, Harrington, Hoffman, O'Connell, Sands, Whalen.

Total 10

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.

Total 7

Absent or not voting: None.

Total 0

SB 74, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow.

Total 92

Noes: Giacometto.

Total 1

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.

Total 7

Absent or not voting: None.

Total 0

SB 340, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Roth, Sales, Sands, Simon, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Winslow.

Total 73

Noes: Bardanouve, Bradley, Fritz, Giacometto, Hansen, Harper, Keenan, Kennerly, Menahan, Miles, Moore, Nisbet, Pavlovich, Peck, Ream, Russell, Squires, Whalen.

Total 18

Excused: Poulsen, Rehberg, Schye, Smith, Spaeth, Thoft, Mr. Speaker.

Total 7

Absent or not voting: Cohen, Williams.

Total 2

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess for dinner until 7:00 p.m. Motion carried.

House recessed at 5:45 p.m.

House reconvened at 7:40 p.m.

Mr. Speaker Pro Tem in the Chair.

Representatives Donaldson, Grady, and Jones excused at this time.

Representatives Marks, Poulsen, Rehberg, Smith, Spaeth, Schye, and Thoft present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/22/87

Correctly printed: HB 912.

Correctly enrolled: HB 102, HB 277, HB 583, HB 623, HB 658.

APPROPRIATIONS (Thoft, Vice-Chairman):

4/22/87

HB 912, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

The Senate, on 4/22/87, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 123.

The President appointed the following members:

Senator Blaylock, Chairman

Senator Beck

Senator Halligan

Conference committee reports adopted:

4/22/87

HB 233, free conference committee report

HB 241, free conference committee report

HB 459, free conference committee report

HB 460, free conference committee report

HB 861, conference committee report

HB 867, free conference committee report

SB 48, free conference committee report

SB 71, free conference committee report

SB 340, free conference committee report

MOTIONS

Representatives Rehberg and Spaeth excused at this time.

Representative Hannah moved that the conference committee on Senate amendments to HB 884 be dissolved and that the Speaker be authorized to appoint a free conference committee composed of the same members to meet with a like committee from the Senate. Representative Driscoll made a substitute motion that the Speaker not be authorized to appoint a free conference committee on HB 884. After considerable debate, Representative Giacometto moved the previous question. Motion carried. The Driscoll motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Grinde, Hansen, Harp, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 56

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellison, Eudaily, Giacometto, Gilbert, Gould, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Phillips, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 41

Paired: Keenan, Spaeth, Ayes; Giacometto, Rehberg, Noes.

Excused: Donaldson, Grady, Jones.

Total 3

Absent or not voting: None.

Total 0

Representative Quilici moved that the House reconsider its action in failing to suspend the rules to accept HB 866, as amended by the Senate for consideration. After debate, Representative Harp moved the previous question. Motion carried. The motion to reconsider carried. (54-38)

Representative Quilici moved that the rules be suspended to allow HB 884, as amended by the Senate, to be accepted by the House for consideration. Motion failed to get the necessary two-thirds majority vote. (57-36)

Representative Sands excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Eudaily moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Addy in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Schye excused at this time.

HB 912 - Representative Bardanouve moved that HB 912 do pass.
Motion carried as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kitselman, Koehnke, Manuel, Menke, Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 57

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Kennerly, Lory, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Ream, Russell, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 40

Paired: Donaldson, Ramirez, Rehberg, Sands, Thoft, Ayes; Daily, Harrington, Keenan, Quilici, Schye, Noes.

Excused: Grady, Jones, Spaeth.

Total 3

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Addy moved the adoption of the committee report. Report adopted. (59-32)

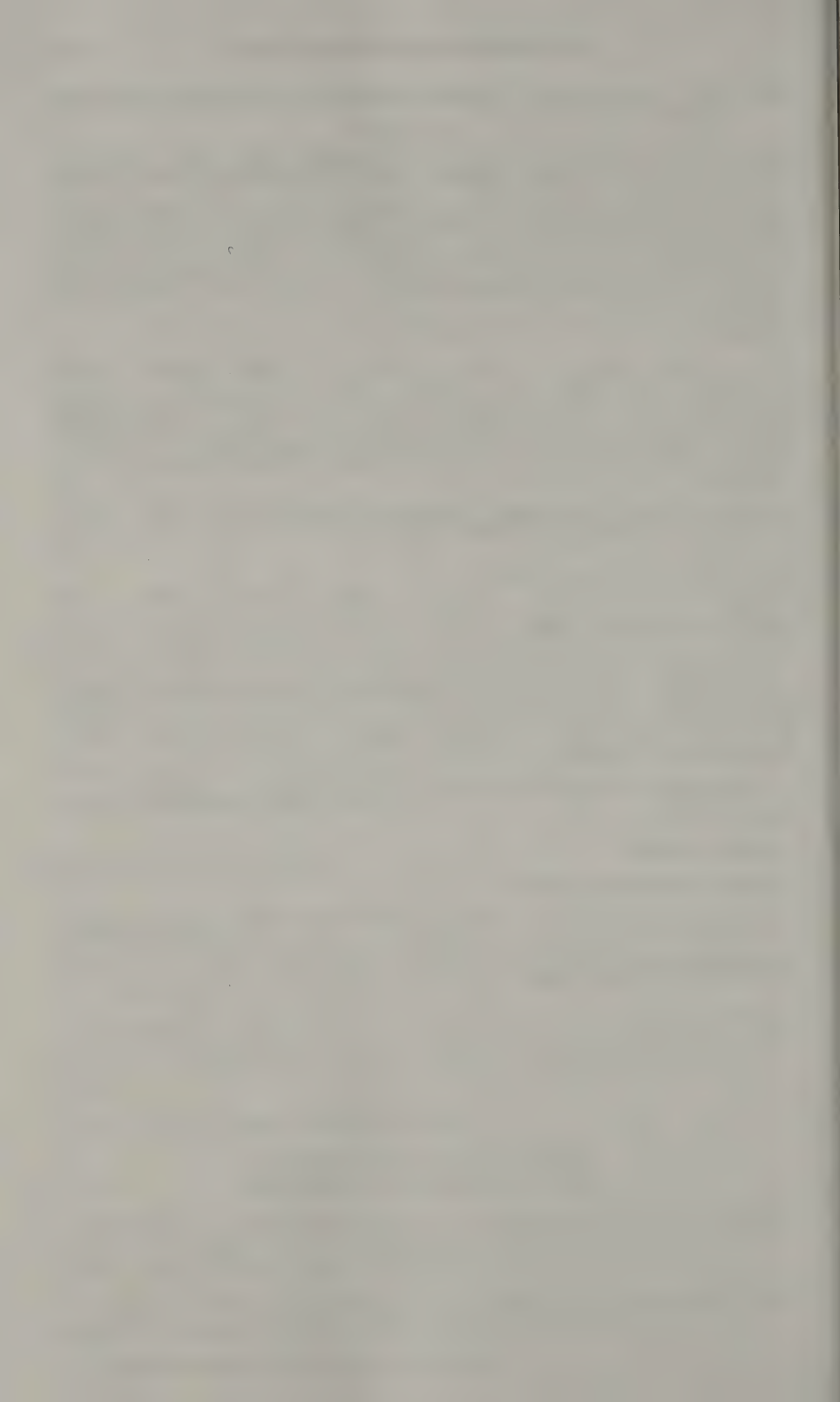
Representative Hannah moved that the House adjourn until 10:00 a.m., April 23, 1987.

Motion carried.

House adjourned at 9:03 p.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk



NINETIETH LEGISLATIVE DAY

Helena, Montana
April 23, 1987

House Chambers
State Capitol

House convened at 10:15 a.m., Mr. Speaker in the Chair. Invocation by Representative Winslow. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 256
Report No. 1, April 22, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 256 met and considered:

House Bill No. 256 in its entirety.

We recommend as follows:

That House Bill No. 256, reference copy, be amended as follows:

1. Page 1, line 19.

Strike: "\$50"

Insert: "\$60"

2. Page 1, line 20.

Strike: "\$50"

Insert: "\$60"

3. Page 1, line 24.

Strike: "\$30"

Insert: "\$40"

4. Page 2, line 1.

Strike: "\$20"

Insert: "\$25"

5. Page 3, lines 5 and 6.

Strike: subsection (Q) in its entirety

6. Page 3, line 9.

Strike: "(6)"

Insert: "(5)"

7. Page 4, line 6.

Strike: "\$25"

Insert: "\$35"

8. Page 4, line 8.

Strike: "\$15"

Insert: "\$25"

9. Page 4, line 10.

Strike: "\$10"

Insert: "\$15"

10. Page 4, line 21 through line 3, page 5.

Strike: subsection (6) in its entirety

11. Page 5, line 8.

Strike: "\$50"

Insert: "\$60"

12. Page 5, line 9.

Strike: "\$50"

Insert: "\$60"

13. Page 5, line 13.

Strike: "\$30"

Insert: "\$40"

14. Page 5, line 15.

Strike: "\$20"

Insert: "\$25"

15. Page 6, lines 19 and 20.

Strike: subsection (Q) in its entirety

16. Page 6, line 23.

Strike: "(6)"

Insert: "(5)"

17. Page 7, line 19.

Strike: "\$25"

Insert: "\$35"

18. Page 7, line 21.

Strike: "\$15"

Insert: "\$25"

19. Page 7, line 23.

Strike: "\$10"

Insert: "\$15"

20. Page 8, lines 9 through 16.

Strike: subsection (6) in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:

Pinsonneault, Chairman

Lybeck

Mazurek

For the House:

Roth

Campbell

Pistoria

Free Conference Committee

on House Bill No. 754

Report No. 1, April 23, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 754 met and considered:

House Bill No. 754 in its entirety.

We recommend as follows:

That House Bill No. 754, reference copy, be amended as follows:

1. Statement of intent, page 4.

Following: line 25

Insert: "The legislature intends by the amendment to 85-2-243 in section 8 of this bill that it be interpreted to restrict the department

to utilize funds that have been appropriated for the adjudication program. The department's funding level in adjudicating water claims for the 1987-89 biennium is as specifically set forth in House Bill 2."

2. Page 7, line 10.

Following: "appropriated"

Insert: "to it for the adjudication program"

Following: "legislature"

Insert: "to carry out its function under subsection (1)"

And that this Free Conference Committee report be adopted.

For the Senate:

Stimat, Chairman
Kolstad
Bengtson

For the House:

Spaeth
Iverson
Thoft

MOTIONS

Representative Hannah moved that the House stand in recess for party caucuses until 11:00 a.m. Motion carried.

House recessed at 10:20 a.m.

House reconvened at 11:55 a.m.

Mr. Speaker Pro Tem in the Chair.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 721 passed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Connelly, Corne', Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Grady, Hansen, Harper, Harrington, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Menke, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Peck, Peterson, Phillips, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.
Total 72

Noes: Asay, Cohen, Compton, Daily, Devlin, Ellison, Gilbert, Glaser, Gould, Grinde, Hannah, Hanson, Harp, Hayne, Jenkins, Keller, Kitselman, Koehnke, Mercer, Patterson, Pavlovich, Pistoria, Ramirez, Sales, Sands, Simon, Switzer, Thoft.
Total 28

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 912 passed as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Manuel, Menke,

Mercer, Meyers, Miller, Nathe, Nelson, Patterson, Peck, Peterson, Phillips, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 62

Noes: Addy, Bachini, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Kadas, Keenan, Lory, McCormick, Menahan, Miles, Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Ream, Schye, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 228 concurred in as follows:

Ayes: Addy, Asay, Brandewie, J. Brown, Campbell, Cobb, Compton, Daily, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keller, Kitselman, Lory, Menahan, Menke, Mercer, Meyers, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Schye, Simon, Smith, Squires, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 67

Noes: Bachini, Bardanouve, Bradley, D. Brown, Bulger, Cody, Cohen, Corne', Darko, Driscoll, Fritz, Glaser, Hansen, Harper, Harrington, Jones, Kadas, Keenan, Kennerly, Koehnke, McCormick, Manuel, Miles, Pavlovich, Peck, Quilici, Ream, Russell, Spaeth, Stang, Strizich, Whalen.

Total 32

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

SJR 13 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Gould, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 94

Noes: Campbell, Giacometto, Meyers, Pavlovich, Stang.

Total 5

Excused: None.

Total 0

Absent or not voting: Grady.

Total 1

MOTIONS

Representative Hannah moved that the House stand in recess for lunch until 1:15 p.m. Motion carried.

House recessed at 12:10 p.m.

House reconvened at 1:30 p.m.

Mr. Speaker in the Chair.

Representative Devlin excused at this time.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House:

4/23/87

HJR 51, introduced by Winslow

HJR 56, introduced by Gilbert

HJR 57, introduced by Fritz

HJR 58, introduced by Asay

HJR 59, introduced by Ramirez

Governor's amendments to House bills concurred in and returned to the House:

4/23/87

HB 39, introduced by Donaldson

HB 570, introduced by Brandewie

HB 776, introduced by Nathe

Governor's amendments to Senate bills concurred in and transmitted to the House for concurrence:

4/23/87

SB 183, introduced by Regan

SB 383, introduced by Gage

MOTIONS

Representative Pistoria moved that the conference committee report on HB 256 be placed at the top of the second reading board. Motion carried.

Representative Hannah moved that the House stand in recess until 2:00 p.m. for party caucuses. Motion carried.

House recessed at 1:35 p.m.

House reconvened at 2:10 p.m.

Mr. Speaker in the Chair.

Representative Hannah moved that consideration of Senate amendments to HB 906 be passed for the day. Motion carried.

Representative Hannah moved that consideration of Senate amendments to HB 904 be placed at the bottom of the board. Motion carried.

Representative Switzer excused at this time.

Representative Spaeth moved that the House override the Governor's veto of SB 149, the early retirement bill. After debate, Representative Ellison moved the previous question. Motion carried. The motion to override failed to get the necessary two-thirds majority vote. (58-40)

Representative Winslow moved that the rules be suspended to allow HB 889, the Montana Growth in Agriculture Act, as amended by the Senate, to be accepted in the House for consideration. Motion carried. (67-28)

Representative Williams moved that consideration of HB 891 on second reading, the coal trust bill, be passed for the day. After debate, Representative Gould moved the previous question. Motion carried. The motion to pass consideration failed. (44-56)

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 123
Report No. 1, April 23, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 123 met and considered:

House Bill No. 123.

We recommend as follows:

That House Bill No. 123, reference copy, be amended as follows:

1. Title, line 5.

Strike: "HIRE"

Insert: "PETITION FOR THE APPOINTMENT OF"

2. Page 2, line 5.

Strike: "APPROVED"

Insert: "appointed"

Following: "COURT"

Insert: "as provided in [section 3]"

3. Page 3, line 7.

Strike: "or appointment"

Insert: ", petition, and appointment of judge pro tempore"

4. Page 3, line 9.

Following: "action,"

Strike: "a"

Insert: "the parties may petition for the appointment of a judge pro tempore. If the district court judge having jurisdiction over the case where the action was filed finds that the appointment is in the best interest of the parties and serves justice, he may appoint the"

5. Page 3, line 10.

Strike: "may be hired"

Insert: "nominated by the parties"

6. Page 3, line 13.

Strike: "agreement for"

Insert: "appointment of"

And that this Free Conference Committee report be adopted.

For the Senate:

Blaylock, Chairman
Halligan
Beck

For the House:

Mercer
Bradley
Keller

Free Conference Committee
on Senate Bill No. 103
Report No. 1, April 23, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 103 met and considered:

Governor's amendments to Senate Bill No. 103.

We recommend as follows:

That Senate Bill No. 103, reference copy, be amended as follows:

1. Page 1, line 16.

Following: "18-2-403"

Strike: "a"

2. Page 2, line 2.

Following: "LABOR"

Strike: ", "

Insert: "or"

3. Page 2, line 3.

Following: "SERVICE"

Strike: " OR THE MONTANA COMMISSIONER OF
INSURANCE"

And that this Free Conference Committee report be adopted.

For the Senate:

Hager, Chairman
Neuman
Lynch

For the House:

Swysgood
Harp
Harper

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Switzer present at this time.

HB 256 - Representative Pistoria moved that the free conference committee report on HB 256 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck,

Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Williams, Winslow.

Total 87

Noes: Campbell, Driscoll, Giacometto, Glaser, Hansen, Meyers, Patterson, Sales, Wallin, Whalen.

Total 10

Excused: Devlin.

Total 1

Absent or not voting: Lory, Mr. Speaker.

Total 2

HB 891 - Representative Marks moved that HB 891, second reading copy, be amended as follows:

1. Title, line 7.

Strike: "AND 1989"

Insert: "THROUGH 1992"

2. Page 2, line 24.

Strike: "general"

Insert: "state compensation insurance"

3. Page 3, line 2.

Strike: "\$29,247,000"

Insert: "\$10,000,000"

Following: ","

Strike: "and"

4. Page 3, line 3.

Strike: "\$29,843,000"

Insert: "\$10,000,000;

(3) beginning July 1, 1989, \$10,000,000;

(4) beginning July 1, 1990, \$10,000,000; and

(5) beginning July 1, 1991, \$10,000,000"

Amendment passed as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 52

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Strizich, Vincent, Whalen, Williams.

Total 48

Paired: Devlin, Aye; Daily, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Winslow moved that HB 891, second reading copy, be further amended. Representative Daily made a substitute motion that consideration of HB 891 be passed for the day. Motion failed. (47-53)

After debate, Representative Winslow withdrew his amendment.

Representative Williams moved that HB 891, as amended, do not pass. Representative Marks made a substitute motion that HB 891, as amended, do pass.

Representative Williams made a substitute motion to all motions pending that HB 891 be indefinitely postponed. The Chair ruled the motion out of order according to Joint Rule 5-10.

Representative Williams withdrew his motion.

Representative Cody reverted to the body of the bill and moved that it be further amended. Amendment failed. (18-80)

HB 891, as amended, failed to pass. (49-51)

The Williams' do not pass motion failed as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Eudaily, Fritz, Giacometto, Hansen, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.
Total 50

Noes: Asay, Brandewie, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellison, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Manuel, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.
Total 50

Paired: Harper, Aye; Devlin, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the House reconsider its action in failing to pass HB 891. Motion failed. (48-52)

According to Rule H1-5, HB 891 failed to pass second reading.

HB 754 - Representative Spaeth moved that the free conference committee report on HB 754 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Compton, Connelly, Corne', Daily,

Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 86

Noes: Ellison, Giacometto, Holliday, Keller, Koehnke, Nathe, Peterson, Ramirez, Sales.

Total 9

Excused: Devlin.

Total 1

Absent or not voting: Asay, Cohen, Whalen, Williams.

Total 4

SB 183 - Representative Asay moved that the Governor's amendments to SB 183 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Bulger, Campbell, Cohen, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Grady, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 81

Noes: Bradley, D. Brown, Cobb, Driscoll, Glaser, Gould, Harrington, Jenkins, Menahan, Meyers, Pavlovich, Peck, Raney, Strizich, Williams.

Total 15

Excused: Devlin.

Total 1

Absent or not voting: Cody, Compton, Grinde.

Total 3

HB 889 - Representative Winslow moved that Senate amendments to HB 889 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Simon, Smith, Spaeth, Stang, Stratford, Swift, Switzer, Swysgood, Thomas, Vincent, Wallin, Whalen, Winslow, Mr. Speaker.

Total 84

Noes: Bachini, Bulger, Fritz, Hansen, Kadas, Nisbet, Pavlovich, Peck, Sales, Squires, Strizich.

Total 11

Excused: Devlin.

Total 1

Absent or not voting: Bardanouve, Darko, Thoft, Williams.

Total 4

SB 103 - Representative Swysgood moved that the free conference committee report on the Governor's amendments to SB 103 be adopted. Motion failed. (43-55)

Representative Hannah moved that the free conference committee report on the Governor's amendments to SB 103 be rejected. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Hannah, Hansen, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Menahan, Mercer, Meyers, Miles, Moore, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Schye, Smith, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams, Winslow.

Total 62

Noes: Asay, Brandewie, Compton, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Gould, Grady, Grinde, Hanson, Harp, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Manuel, Menke, Miller, Nathe, Nelson, Patterson, Phillips, Poff, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin.

Total 36

Excused: Devlin.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

HB 123 - Representative Mercer moved that the free conference committee report on HB 123 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Meyers, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow.

Total 95

Noes: Gould, Whalen.

Total 2

Excused: Devlin.

Total 1

Absent or not voting: O'Connell, Mr. Speaker.

Total 2

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (75-19)

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 23, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 275, 361, 397, 526, 532, 599, 656, 848, 849, 863, 871, and 887 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 4/23/87

HB 727, introduced by Winslow

Conference committee reports adopted: 4/23/87

HB 256, free conference committee report

HB 754, free conference committee report

The Senate, on 4/23/87, dissolved the conference committee on HB 884 and appointed a new conference committee to meet with a like committee from the House to confer on Senate amendments to HB 884.

The President appointed the following members:

Senator Van Valkenburg, Chairman
Senator Gage
Senator Blaylock

MOTIONS

Representative Hannah moved that the House stand in recess until 6:00 p.m. for party caucuses. Motion carried.

House recessed at 5:30 p.m.

House reconvened at 6:20 p.m.

Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 2
Report No. 1, April 23, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 2 met and considered:

House Bill No. 2.

We recommend as follows:

That House Bill No. 2, reference copy, be amended as follows:

1. Page BP-3, line 25.

Following: "INDIVIDUALS,"

Insert: "after January 1, 1988,"

2. Page BP-4, line 1.

Following: "SCIENCES,"

Insert: "the department of family services, the department of institutions,"

3. Page A-1, line 9.

Strike: "926,544"

Insert: "963,944"

4. Page A-1, line 25.

Strike: "794,956"

Insert: "788,773"

5. Page A-2, line 5.

Strike: "718,820"

Insert: "712,552"

6. Page A-4, line 22.

Strike: "245,347" and "241,331"

Insert: "243,618" and "239,609"

7. Page A-4, line 25.

Strike: "26,200"

Insert: "101,200"

8. Page A-5, line 23.

Strike: "131,719 50,000 131,623 50,000"

Insert: "181,719 181,623" (general fund columns)

9. Page A-6.

Strike: lines 17 and 18 in their entirety

10. Page A-8, line 24.

Strike: "699,484 227,603" and "709,775 224,292"

Insert: "510,157 383,930" and "521,931 379,136"

11. Page A-9.

Strike: lines 14 and 15 in their entirety

12. Page A-10, line 14.

Strike: "256,271" and "256,039"

Insert: "238,271" and "238,039"

13. Page A-11, line 5.

Strike: "716,740" and "714,064"

Insert: "696,740" and "694,064"

14. Page A-11, line 12.

Strike: "273,759" and "268,514"

Insert: "283,759" and "278,514"

15. Page A-15, line 13.

Strike: "143,835 633,964 143,232 629,368"
 Insert: " 0 777,799 0 772,600"

16. Page A-16.

Following: line 15

Insert: "The department shall purchase the modular facilities in Bozeman that currently house the Montana law enforcement academy. For the purpose of purchasing such facilities, the department is authorized to expend funds appropriated in item 10a."

17. Page A-17, line 8.

Strike: "437,791 77,550" and "436,834 75,354"

Insert: "412,791 102,550" and "411,834 100,354"

18. Page A-19, line 7.

Strike: "74,795" and "120,455"

Insert: "230,728" and "238,348"

19. Page A-19, line 24.

Strike: "8,114,206" and "8,182,783"

Insert: "8,671,921" and "8,657,816"

20. Page A-20.

Following: line 10

Insert: "e. Property Assessment — House Bill 436
 500,789" (federal special revenue, fiscal 1989)

21. Page A-21.

Following: line 10

Insert: "The source of funding in item 7e is the local impact and education trust fund account."

22. Page B-5, line 19.

Strike: "125,000" and "125,000"

Insert: "216,760" and "216,760"

23. Page B-6.

Following: line 14

Insert: "1. New Horizons
 27,095 27,095" (general fund columns)

24. Page B-8.

Following: line 10

Insert: "Item 11 is contingent upon passage and approval of House Bill 460. If House Bill 460 is not passed and approved, general fund in item 1e is reduced to \$125,000 in fiscal 1988 and \$125,000 in fiscal 1989."

25. Page B-8, line 14.

Strike: "5,625,446" and "3,524,512"

Insert: "5,735,323" and "3,549,363"

26. Page B-8.

Following: line 20

Insert: "iii. Nonresident General Relief
 180,000" (general fund, fiscal 1988) "180,000"
 (general fund, fiscal 1989)

Renumber: subsequent subsections

27. Page B-10, line 20.

Strike: "6,540,607 6,606,013"

Insert: "7,168,000 7,349,000"

28. Page B-10, line 21.

Strike: "19,130,953" and "21,138,236"

Insert: "18,503,560" and "20,395,249"

29. Page B-12, line 14.

Strike: "310,359" and "938,622"

Insert: "280,458" and "908,722"

30. Page B-12, line 16.

Strike: "12,921,903"

Insert: "13,421,903"

31. Page B-12, line 17.

Strike: "5,846,843" and "13,517,746"

Insert: "5,502,908" and "13,396,869"

32. Page C-3, line 7.

Strike: "223,505" and "217,284"

Insert: "594,830" and "588,609"

33. Page C-5, line 24.

Strike: "5,210,325"

Insert: "5,154,352"

34. Page C-6.

Following: line 13

Insert: "The department shall consolidate support functions by July 1, 1988. If any relocation costs are incurred in consolidating functions, they must be financed from the forestry division's fiscal 1988 appropriation. The department shall report to the 51st legislature on the fiscal savings of the consolidation."

35. Page C-6, line 18.

Strike: "1,801,255" and "1,862,582"

Insert: "1,805,955" and "1,867,282"

36. Page C-7, line 18.

Strike: "3,696,188" and "3,697,824"

Insert: "3,702,088" and "3,703,724"

37. Page C-7, line 24.

Strike: "2,662,150" and "2,612,810"

Insert: "2,677,150" and "2,627,810"

38. Page C-8.

Following: line 5

Insert: "c. Wildlife Habitat

3,600,000 (State special revenue, fiscal 1988)

d. Pheasant Enhancement Program

987,000" (State special revenue, fiscal 1988)

39. Page C-8, line 11.

Strike: "1,108,854" and "1,084,442"

Insert: "1,111,104" and "1,088,942"

39A. Page C-9, line 11.

Strike: line 11 in its entirety

Insert: "Items 1b, 2c, 5c, and 5d are biennial appropriations."

40. Page C-9.

Following: line 13

Insert: "If this act and House Bill 599 are both passed and approved, the \$100,000 appropriation provided in section 1 of House Bill 599

is void and the department of fish, wildlife, and parks shall transfer \$150,000 to the university of Montana. The funds so transferred are appropriated for the use of the biological station at Yellow Bay for the purposes of House Bill 599."

41. Page C-12.

Following: line 8

Insert: "Of the funds appropriated in item 4a, not more than \$584,788 for each year of the biennium may be used for adjudication of pre-July 1, 1973, water rights."

42. Page C-12.

Strike: lines 11 through 13 in their entirety

43. Page C-13, line 12.

Strike: "539,626" and "536,444"

Insert: "513,626" and "510,444"

44. Page C-12.

Following: line 13

Insert: "Enactment of House Bill 642 and House Bill 831 satisfies the emergency provisions of 17-7-403, and the department may request a budget amendment to spend the fees collected under the authority of the bills."

45. Page C-13, line 19.

Strike: "686,692 30,114" and "683,219 59,257"

Insert: "636,692 130,114" and "633,219 159,257"

46. Page C-14, line 10.

Strike: "4,575,215" and "4,672,834"

Insert: "4,475,215" and "4,572,834"

47. Page C-14, line 25.

Strike: "b. Local Government Block Grant"

Renumber: subsequent subsections

48. Page C-15.

Strike: line 5 in its entirety

49. Page C-15, line 9.

Strike: "2,500,000" and "2,500,000"

Insert: "2,286,259" and "2,373,870"

50. Page C-16, line 17.

Strike: "1,323,267" and "1,360,660"

Insert: "1,311,931" and "1,348,021"

51. Page C-17, line 11.

Strike: "2,999,805" and "3,025,405"

Insert: "658,411" and "597,247"

52. Page C-19.

Following: line 21

Insert: "If the revenues deposited to the general fund through the implementation of Senate Bill 200 are less than the appropriation for district court reimbursement, the department shall reduce the reimbursement to equal the revenues generated."

53. Page D-5, line 25.

Strike: "7,503,511" and "7,576,576"

Insert: "7,516,081" and "7,589,146"

54. Page D-6, line 24.

Strike: "2,848,740 510,722 2,873,834 510,722"
Insert: "2,833,740 525,722 2,858,834 525,722"

55. Page D-8.

Following: line 15

Insert: "If House Bill 460 is not passed and approved, general fund in item 2b is reduced to \$7,503,511 in fiscal 1988 and \$7,576,576 in fiscal 1989."

56. Page E-2, line 12.

Strike: "702,295" and "707,991"

Insert: "686,096" and "691,805"

57. Page E-3, line 17.

Strike: "870,397 873,767"

Insert: "849,051 852,423"

58. Page E-4.

Following: line 18

Insert: "Item 3 includes \$150,271 in fiscal 1988 and \$150,282 in fiscal 1989 of general fund and \$179,925 in fiscal 1988 and \$179,938 in fiscal 1989 of federal funds, contingent upon the board of regents contracting with the office of public instruction to administer and supervise K-12 vocational education programs, services, and activities in accordance with House Bill 39."

59. Page E-5.

Strike: lines 6 and 7 in their entirety

Renumber: subsequent subsections

60. Page E-5, line 9.

Strike: "147,523" (fiscal 1989 only)

Insert: "33,822 (general fund, fiscal 1989 only)
113,701" (state special, fiscal 1989 only)

61. Page E-5.

Strike: line 22 in its entirety

62. Page E-5, line 23.

Strike: "7"

Insert: "6"

63. Page E-6.

Following: line 6

Insert: "All revenues received under the provisions of 20-9-343 for state equalization aid are appropriated to the superintendent of public instruction for the biennium ending June 30, 1989, for public school support other than special education.

If House Bill 904 does not pass, there is appropriated from the general fund \$93,000,000 for the biennium ending June 30, 1989, to be used to the extent funds appropriated under the provisions of 20-9-343 are insufficient to finance the maximum general fund budget schedules for public schools, excluding special education."

64. Page E-6, line 11.

Strike: "3,350,000" and "3,350,000"

Insert: "1,025,000" and "1,025,000"

65. Page E-6.

Following: line 21

Insert: "Item 2 is contingent upon the board of regents contracting with the office of public instruction to administer and supervise

K-12 vocational education programs, services, and activities in accordance with House Bill 39.”

66. Page E-7, line 7.

Strike: “514,290 455,811 514,290 455,811”
 Insert: “552,545 417,556 590,773 379,328”

67. Page E-7, line 14.

Strike: “125,975 260,157” and “54,092 332,075”
 Insert: “133,026 253,106” and “64,279 321,888”

68. Page E-8, line 5.

Strike: “530,859 270,961 530,859 270,961”
 Insert: “563,073 238,747 595,265 206,555”

69. Page E-8, line 12.

Strike: “212,830 137,425” and “166,404 183,881”
 Insert: “218,767 131,488” and “174,982 175,303”

70. Page E-8, line 25.

Strike: “492,189 331,408 492,189 331,408”
 Insert: “524,403 299,194 556,595 267,002”

71. Page E-9, line 10.

Strike: “220,421 156,686” and “171,217 205,924”
 Insert: “226,358 150,749” and “179,795 197,346”

72. Page E-9, line 23.

Strike: “820,684 482,024 820,684 482,024”
 Insert: “873,033 429,675 925,345 377,363”

73. Page E-10, line 8.

Strike: “316,347 99,550” and “162,758 253,177”
 Insert: “325,996 89,901” and “176,698 239,237”

74. Page E-10, line 21.

Strike: “643,444 516,719 643,444 516,719”
 Insert: “689,752 470,411 736,028 424,135”

75. Page E-11, line 6.

Strike: “146,816 274,262” and “282,779 138,338”
 Insert: “155,351 265,727” and “295,110 126,007”

76. Page F-2.

Following: line 21

Insert: “3. Vocational Education Grants
 2,325,000 2,325,000” (federal special revenue)

Renumber: subsequent subsections

77. Page F-3, line 5.

Strike: “901,687 883,947” and “901,687 684,981”
 Insert: “1,161,470 624,164” and “1,436,131 150,537”

78. Page F-3, line 8.

Strike: “1,656,141 277,477” and “1,415,429 611,292”
 Insert: “1,933,618 0” and “1,949,929 41,792”

79. Page F-3, line 16.

Strike: “300,450” and “300,450”
 Insert: “276,450” and “276,450”

80. Page F-4.

Following: line 24

Insert: "General fund support of the family practice program does not extend beyond fiscal 1988."

81. Page F-5, line 7.

Strike: "709,912" and "713,832"

Insert: "695,424" and "699,264"

82. Page F-5, line 9.

Strike: "8,820"

Insert: "8,640"

83. Page F-5, line 12.

Strike: "1,646,996" and "1,656,090"

Insert: "1,613,384" and "1,622,292"

84. Page F-5, line 14.

Strike: "8,820"

Insert: "8,640"

85. Page F-5, line 17.

Strike: "731,209" and "735,247"

Insert: "716,286" and "720,242"

86. Page F-5, line 19.

Strike: "8,820"

Insert: "8,640"

86.a. Page F-5, line 23.

Strike: "49%"

Insert: "48%"

86.b. Page F-5, line 25.

Strike: "49%"

Insert: "48%"

Strike: "51%"

Insert: "52%"

87. Page F-6.

Strike: lines 22 through 24 in their entirety

Insert: "General fund support for startup of the spring wheat breeding and biotechnology program at the agricultural experiment station is for the 1989 biennium only. Other funds will be required to continue the program beyond the 1989 biennium."

88. Page F-7, line 7.

Strike: "1,954,375" and "1,955,847"

Insert: "1,866,964" and "1,868,436"

89. Page F-7.

Strike: lines 10 and 11 in their entirety

90. Page F-7.

Strike: lines 22 and 23 in their entirety

91. Page F-9.

Strike: lines 4 and 5 in their entirety

Renumber: subsequent sections

92. Page F-9, line 20.

Strike: "120,000" and "120,000"

Insert: "100,000"

93. Page F-10.

Following: line 14

Insert: "General fund support of the museum of the rockies does not extend beyond the 1989 biennium. It is expected that private funds will replace general fund support beginning in the 1991 biennium. Item 4c is a biennial appropriation."

Legislative Fiscal Analysts will adjust totals.

And that this Free Conference Committee report be adopted.

For the Senate:

Regan, Chairman
Jacobson
Hammond

For the House:

Thoft
Rehberg
Spaeth

Free Conference Committee
on Senate Joint Resolution No. 14
Report No. 1, April 23, 1987

Mr. Speaker:

We, your Free Conference Committee on Senate Joint Resolution No. 14 met and considered:

1. House Local Government Committee amendments to the third reading copy, dated April 8, 1987; and
2. House Committee of the Whole amendments to the third reading copy, dated April 11, 1987.

We recommend as follows:

That Senate Joint Resolution No. 14, reference copy, be amended as follows:

1. Title, line 8.
Following: "COUNTIES"
Strike: "TO 28 OR FEWER"

2. Title, line 12.
Following: "SERVICES"
Strike: "TO"
Insert: "THAT MAY"

3. Page 2, lines 15 and 16.
Following: "counties"
Strike: remainder of line 15 through "fewer" on line 16

4. Page 2, line 25.
Following: "distribution"
Insert: "and rural/urban population balance"

5. Page 3, line 4.
Following: "resources;"
Strike: "and"
Insert: "(ix) geographic size;

(x) economic impact of consolidation on affected communities; and"
Renumber: subsequent subsection

6. Page 3, lines 6 through 8.
Following: "WITHIN" on line 6
Strike: "THE FOLLOWING DISTRICTS OR WITHIN SIMILAR"

7. Page 3, line 8 through line 9, page 4.
Following: "COUNTIES" on page 3, line 8

Strike: remainder of line 8 through "COUNTIES" on page 4, line 9

8. Page 4, lines 10 and 11.

Following: "THAT THE" on line 10

Insert: "subcommittee consider in preparing its"

Following: line 10

Strike: "PROVIDE FOR"

9. Page 5, line 3.

Strike: "AND"

10. Page 5, line 6.

Following: "DISTRICTS"

Strike: ":"

Insert: ";

11. Page 5.

Strike: line 7 in its entirety through "DESIGNATE" on line 8

Insert: "(d) designation of"

Renumber: subsequent subsections

12. Page 5, line 9.

Following: "AND"

Strike: "PROVIDE"

Insert: "PROVISION"

13. Page 5, line 11.

Following: "DISTRICT"

Strike: ":"

Insert: ";

14. Page 5.

Strike: line 12 in its entirety through "PROVIDE" on line 13

Insert: "(e) providing"

Renumber: subsequent subsection

15. Page 5.

Following: line 20

Insert: "(4) That the subcommittee consider consolidation of offices within counties."

And that this Free Conference Committee report be adopted.

For the Senate:

For the House:

Yellowtail, Chairman

Ramirez

Eck

D. Brown

Gage

Wallin

MESSAGES FROM THE OTHER HOUSE

The Senate, on 4/23/87, dissolved the free conference committee on SB 103 and appointed a new free conference committee to meet with a like committee from the House to confer on Governor's amendments to SB 103.

The President appointed the following members:

Senator Bishop, Chairman

Senator Haffey

Senator Hager

Conference committee reports adopted:

4/23/87

HB 123, free conference committee report

SB 103, free conference committee report on Governor's amendments

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Simon moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Representative Thoft moved that the free conference committee report on HB 2 be rejected. Motion carried as follows:

Ayes: Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Corne', Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, Manuel, Menke, Mercer, Meyers, Miles, Miller, Nathe, Nelson, O'Connell, Patterson, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sales, Sands, Simon, Smith, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 83

Noes: Bachini, Bardanouve, Daily, Driscoll, Fritz, Harrington, Kennerly, McCormick, Menahan, Moore, Nisbet, Pavlovich, Peck, Ream, Schye, Spaeth, Whalen.

Total 17

Paired: Devlin, Aye; Harrington, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (85-12)

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Hannah moved that the House stand in recess until 8:00 p.m. Motion carried.

House recessed at 6:40 p.m.

House reconvened at 8:00 p.m.

Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Simon moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 14 - Representative Ramirez moved that the free conference committee report on SJR 14 be adopted. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Connelly, Daily, Darko, Donaldson, Driscoll, Ellsion, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Kadas, Keenan, Keller, Kitselman, Lory, McCormick, Manuel, Menke, Mercer, Miles, Nathe, Nelson, Pavlovich, Peck, Peterson, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sales, Sands, Simon, Smith, Spaeth, Stratford, Strizich, Vincent, Wallin, Williams, Mr. Speaker.
Total 64

Noes: Giacometto, Grinde, Hanson, Iverson, Jenkins, Kennerly, Koehnke, Meyers, O'Connell, Patterson, Poff, Schye, Switzer, Swysgood, Thoft, Thomas.
Total 16

Excused: Devlin.
Total 1

Absent or not voting: Bradley, Bulger, Cobb, Cohen, Corne', DeMars, Fritz, Jones, Menahan, Miller, Moore, Nisbet, Phillips, Russell, Squires, Stang, Swift, Whalen, Winslow.
Total 19

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (67-14)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/23/87

Correctly engrossed: HB 912, SB 228, SJR 13.

Correctly enrolled: HB 206, HB 233, HB 241, HB 252, HB 459, HB 460, HB 721, HB 796, HB 861, HB 867, HJR 47, HJR 50, HJR 54.

Examined by the sponsor and found to be correct:

HB 102 - Grady	HB 623 - Harrington
HB 206 - McCormick	HB 658 - Menahan
HB 233 - Bardanouve	HB 721 - Thomas
HB 241 - Spaeth	HB 796 - Driscoll
HB 252 - M. Hanson	HB 861 - Nathe
HB 277 - Connelly	HB 867 - Vincent
HB 459 - Keenan	HJR 47 - Pistoria
HB 460 - Keenan	HJR 50 - Keenan
HB 583 - Donaldson	HJR 54 - Bradley

Signed by the Speaker at 6:00 p.m.: HB 102, HB 206, HB 583, HB 623, HB 658, HB 721, HB 796, HJR 47, HJR 50, HJR 54.

Signed by the Speaker at 9:30 p.m.: HB 233, HB 241, HB 252, HB 277, HB 459, HB 460, HB 861, HB 867.

Delivered to the Governor for his approval at 10:15 a.m.: HB 326, HB 442, HB 567, HB 586, HB 627, HB 697, HB 752.

MESSAGES FROM THE OTHER HOUSE

The Senate on 4/23/87, reconsidered their action, and requested the return of the following House bill for further consideration:

HB 866, introduced by Bradley

MOTIONS

Representative Hannah moved that the House stand in recess subject to the call of the Chair. Motion carried.

House recessed at 8:10 p.m.

House reconvened at 12:25 a.m.

Mr. Speaker Pro Tem in the Chair.

Representative Hannah moved that the House accede to the request of the Senate and return HB 866, the marriage license bill, for further consideration. Motion carried.

Representative Eudaily moved that SB 228 be taken from the Speaker's desk and placed back on second reading this day. Motion carried.

Representative Daily moved that HB 884, the workers' compensation bill, be taken from the conference committee and placed on third reading. The Chair ruled the motion out of order, citing rule 5-4 which would require a suspension of the rules. The Chair further ruled that the last action taken on HB 884 was the rejection of Senate amendments. Representative D. Brown appealed the ruling of the Chair. The ruling of the Chair failed to be sustained. (42-52)

The Chair called a meeting of the Rules Committee, and the House stood at ease at 12:40 a.m., subject to the call of the Chair.

House came to order at 1:05 a.m.

Mr. Speaker Pro Tem in the Chair.

The ruling of the Rules Committee was that the Daily motion was in order. Representative Driscoll withdrew the appeal.

Representative Driscoll moved that HB 884 be taken from the conference committee and placed on third reading this day. Motion carried.

Representative Addy moved that HB 884 be taken from third reading and placed back on the second reading board below SB 228. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 228 - Representative Marks moved that SB 228, reference copy, be amended as follows:

1. Strip Hannah Committee of the Whole amendment, dated 4/22/87, (11:00).

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Grady, Grinde,

Hansen, Hanson, Harp, Harper, Harrington, Holliday, Iverson, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Roth, Russell, Schye, Spaeth, Squires, Stang, Strizich, Switzer, Swysgood, Thoft, Vincent, Whalen, Williams, Winslow, Mr. Speaker.
Total 69

Noes: Campbell, Cobb, Ellison, Giacometto, Gould, Hannah, Hayne, Jenkins, Jones, Keller, Kitselman, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Simon, Stratford, Swift, Thomas, Wallin.
Total 27

Excused: Devlin.
Total 1

Absent or not voting: Hoffman, Pistoria, Smith.
Total 3

Representative Asay moved that SB 228, as amended, be concurred in.
Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Switzer, Swysgood, Vincent, Whalen, Williams, Winslow.
Total 68

Noes: D. Brown, Campbell, Cobb, Corne', Ellison, Giacometto, Glaser, Gould, Hannah, Hoffman, Jones, Kitselman, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Swift, Thoft, Thomas.
Total 27

Excused: Devlin.
Total 1

Absent or not voting: Jenkins, Smith, Wallin, Mr. Speaker.
Total 4

Representative Hannah moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (69-25)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 889, Senate amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Campbell, Cobb, Cody, Cohen, Compton, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Glaser, Gould, Grady, Grinde, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Keenan, Keller,

Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, O'Connell, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Jones, Kadas, Meyers, Nisbet, Pavlovich, Sales, Simon, Squires, Switzer, Whalen.

Total 10

Excused: Devlin.

Total 1

Absent or not voting: Connelly, Jenkins, Poulsen, Ream.

Total 4

SB 183, Governor's amendments, concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, J. Brown, Bulger, Campbell, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Giacometto, Gilbert, Grady, Hannah, Hansen, Hanson, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Russell, Sands, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 76

Noes: Bardanouve, Brandewie, D. Brown, Cobb, Cody, Ellison, Glaser, Gould, Grinde, Harp, Harper, Jones, Kadas, Menke, Mercer, Meyers, Peck, Phillips, Ream, Sales, Schye, Swift, Switzer.

Total 23

Excused: Devlin.

Total 1

Absent or not voting: None.

Total 0

HB 123, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Glaser, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 87

Noes: Campbell, Giacometto, Gould, Grinde, Hannah, Jones, Meyers, Miller, Nathe, Patterson, Peterson, Whalen.

Total 12

Excused: Devlin.

Total 1

Absent or not voting: None.

Total 0

HB 256, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Devlin, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sands, Schye, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Switzer, Thoft, Thomas, Vincent, Wallin, Williams, Winslow, Mr. Speaker.

Total 88

Noes: Campbell, Driscoll, Giacometto, Glaser, Hannah, Jones, Meyers, Patterson, Sales, Simon, Swysgood, Whalen.

Total 12

Paired: Devlin, Aye; Patterson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 754, free conference committee report, adopted as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Grinde, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Hoffman, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Lory, McCormick, Manuel, Menahan, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Russell, Sales, Sands, Schye, Simon, Smith, Spaeth, Squires, Stang, Stratford, Strizich, Swift, Swysgood, Thoft, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 85

Noes: Campbell, Cobb, Ellison, Giacometto, Holliday, Jones, Koehnke, Meyers, Nathe, O'Connell, Peterson, Ramirez, Switzer.

Total 13

Excused: Devlin.

Total 1

Absent or not voting: Hannah.

Total 1

SJR 14, free conference committee report, adopted as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cobb, Cohen, Connelly, Corne', Daily, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Grady, Hannah, Hansen, Harp, Harper, Harrington, Hayne, Kadas, Keenan, Keller, Kitselman, Lory,

McCormick, Manuel, Menke, Mercer, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poulsen, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Roth, Russell, Sales, Sands, Simon, Smith, Spaeth, Squires, Stratford, Strizich, Swift, Thomas, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 71

Noes: Asay, Campbell, Cody, Compton, DeMars, Giacometto, Glaser, Gould, Grinde, Hanson, Hoffman, Holliday, Iverson, Jenkins, Jones, Kennerly, Koehnke, Menahan, Meyers, Nathe, Patterson, Poff, Rehberg, Schye, Stang, Switzer, Swysgood, Thoft.

Total 28

Excused: Devlin.

Total 1

Absent or not voting: None.

Total 0

SB 228 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Bulger, Cody, Cohen, Compton, Connelly, Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Grady, Hansen, Hanson, Harp, Harper, Harrington, Hayne, Holliday, Iverson, Jenkins, Kadas, Keenan, Keller, Koehnke, Lory, McCormick, Manuel, Menahan, Menke, Miles, Miller, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Poulsen, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Stratford, Strizich, Vincent, Wallin, Whalen, Williams, Winslow, Mr. Speaker.

Total 67

Noes: D. Brown, Campbell, Cobb, Corne', Ellison, Giacometto, Glaser, Gould, Grinde, Hannah, Hoffman, Jones, Kennerly, Kitselman, Mercer, Meyers, Nathe, Patterson, Peterson, Phillips, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Smith, Swift, Switzer, Swysgood, Thoft, Thomas.

Total 32

Excused: Devlin.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 2
Report No. 2, April, 1987

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 2 met and considered:

House Bill No. 2 and free conference committee report no. 1 on House Bill No. 2.

We recommend as follows:

That report no. 1 be adopted except as noted in this report and that House Bill No. 2, reference copy, be further amended as follows:

1. Page BP-1, line 6.

Following: "1989"

Insert: "AND PROVIDING FISCAL 1987 SUPPLEMENTAL APPROPRIATIONS TO FUND IMPLEMENTATION COSTS OF LEGISLATION ENACTED BY THE 50TH LEGISLATURE"

2. Page BP-4.

Following: line 24

Insert: "Section 15. Fiscal 1987 supplemental appropriations. There is appropriated from the local impact and education trust fund account the following amounts for fiscal 1987 to implement Senate Bill 200:

(1) department of revenue, property assessment division, \$89,055.

(2) department of justice, motor vehicle registrar, \$53,000."

Renumber: subsequent sections

3. Page A-13.

Following: line 22

Insert: "c. Administration - Senate Bill 200
60,000 60,000" (federal special revenue)

4. Page A-16.

Following: line 18

Insert: "The source of funding in item 7c is the local impact and education trust fund account."

5. Page A-19, line 24.

Strike: "8,114,206" and "8,182,783"

Insert: "8,472,371" and 8,508,144"

6. Page A-21.

Following: line 10

Insert: "For the purposes of implementing Senate Bill 200, there may be no more that 36 FTE in fiscal 1988 and 34 FTE in fiscal 1989."

7. Page B-14.

Following: line 5

Insert: "SRS shall make all changes in eligibility criteria allowed by Montana statute and federal regulations as are necessary to contain expenditures within the amount appropriated for aid to families with dependent children."

8. Page B-14, line 23.

Following: "~~APPROPRIATION.~~" on line 23

Strike: remainder of line 23 through narrative line 7, page B-15

9. Page F-17, line 13.

Strike: "date"

Insert: "dates"

Following: "."

Insert: "(1)"

Following: "1987."

Insert: "(2) Section 15 and this section are effective on passage and approval."

10. Amendment no. 19 in committee report no. 1 is superseded.

Legislative Fiscal Analysts will amend totals.

And that this Free Conference Committee report be adopted.

For the Senate:

Regan, Chairman

For the House:

Thoft

Jacobson
Hammond

Rehberg
Spaeth

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Hannah moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 884 - Representative Driscoll moved that Senate amendments to HB 884 be concurred in. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Glaser, Grinde, Hansen, Harp, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Whalen, Williams.

Total 54

Noes: Asay, Campbell, Cobb, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gould, Grady, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 45

Paired: Harper, Aye; Devlin, No.

Excused: None.

Total 0

Absent or not voting: Gilbert.

Total 1

HB 2 - Representative Thoft moved that the free conference committee report on HB 2 be adopted. Motion failed. (45-53)

Representative Hannah moved that the free conference committee report on HB 2 be rejected. Motion failed. (30-68)

The Speaker Pro Tem asked the Sergeant-at-Arms to allow the committee from the Senate to enter the chamber. Senators Van Valkenburg, Blaylock, and Aklestad announced that the Senate was through with its work and was ready to adjourn sine die. They thanked the House members for their efforts and cooperation in this difficult session.

Representative Hannah moved that the House reconsider its action in failing to pass the free conference committee report on HB 2. Motion carried. (78-21)

Representative Thoft moved that the free conference committee report on HB 2 be adopted. Motion carried as follows:

Ayes: Addy, Bachini, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Grady, Hansen, Hanson, Harper, Harrington, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick,

Manuel, Menahan, Menke, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Russell, Sales, Schye, Smith, Spaeth, Squires, Strizich, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 59

Noes: Asay, Bradley, Campbell, Cobb, Cohen, Corne', Ellison, Giacometto, Gould, Grinde, Hannah, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kitselman, Mercer, Meyers, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Roth, Sands, Simon, Stang, Stratford, Swift, Switzer, Thoft, Vincent, Whalen.

Total 39

Excused: Devlin.

Total 1

Absent or not voting: Harp.

Total 1

HB 904 - Representative Harp moved that Senate amendments to HB 904 be concurred in. Motion carried as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Gilbert, Glaser, Grady, Hansen, Harp, Harper, Harrington, Hayne, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, Patterson, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Wallin, Williams.

Total 58

Noes: Asay, Bachini, Bulger, Campbell, Cobb, Cohen, Devlin, Ellison, Fritz, Giacometto, Gould, Grinde, Hannah, Hanson, Hoffman, Holliday, Iverson, Jones, Kitselman, Menke, Mercer, Meyers, Peck, Peterson, Phillips, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Thoft, Thomas, Whalen, Winslow, Mr. Speaker.

Total 41

Paired: Eudaily, Aye; Devlin, No.

Excused: None.

Total 0

Absent or not voting: O'Connell.

Total 1

Representative Hannah moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (60-37)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 884, Senate amendments, concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Bulger, Cohen, Connelly, Daily, Darko, DeMars, Driscoll, Fritz, Gilbert, Glaser, Grinde, Hansen, Harp, Harper, Harrington, Holliday, Jones, Kadas, Keenan, Kennerly, Koehnke, Lory, McCormick, Manuel,

Menahan, Miles, Moore, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Russell, Smith, Spaeth, Squires, Stang, Strizich, Whalen, Williams.

Total 53

Noes: Asay, Campbell, Cobb, Cody, Compton, Corne', Devlin, Donaldson, Ellison, Eudaily, Giacometto, Gould, Grady, Hannah, Hanson, Hayne, Hoffman, Iverson, Jenkins, Keller, Kitselman, Menke, Mercer, Meyers, Miller, Nathe, Patterson, Phillips, Poff, Poulsen, Ramirez, Rehberg, Roth, Sales, Sands, Schye, Simon, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Vincent, Wallin, Winslow, Mr. Speaker.

Total 47

Paired: Harper, Aye; Devlin, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2, free conference committee report, adopted as follows:

Ayes: Addy, Bardanouve, Brandewie, D. Brown, J. Brown, Bulger, Cody, Compton, Connelly, Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Grady, Hansen, Hanson, Harp, Harper, Harrington, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Ream, Russell, Sales, Schye, Smith, Spaeth, Squires, Strizich, Swysgood, Thomas, Wallin, Williams, Winslow, Mr. Speaker.

Total 59

Noes: Asay, Bachini, Bradley, Campbell, Cobb, Cohen, Corne', Ellison, Giacometto, Gould, Grinde, Hannah, Hayne, Hoffman, Holliday, Iverson, Jenkins, Jones, Kitselman, Menke, Mercer, Meyers, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rapp-Svrcek, Rehberg, Roth, Sands, Simon, Stang, Stratford, Swift, Switzer, Thoft, Vincent, Whalen.

Total 40

Excused: Devlin.

Total 1

Absent or not voting: None.

Total 0

HB 904, Senate amendments, concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Compton, Connelly, Corne', Daily, Darko, DeMars, Donaldson, Driscoll, Eudaily, Fritz, Gilbert, Glaser, Grady, Hansen, Harp, Harper, Harrington, Hayne, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Menahan, Miles, Miller, Moore, Nathe, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Pistoria, Poff, Poulsen, Quilici, Rapp-Svrcek, Ream, Russell, Schye, Smith, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Wallin, Williams.

Total 61

Noes: Asay, Bachini, Bulger, Campbell, Cobb, Cohen, Devlin, Ellison, Giacometto, Gould, Grinde, Hannah, Hanson, Hoffman, Holliday, Iverson, Jones, Kitselman, Menke, Mercer, Meyers, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Roth, Sales, Sands, Simon, Stratford, Swift, Switzer, Thoft, Thomas, Whalen, Winslow, Mr. Speaker.

Total 39

Paired: Eudaily, Aye; Devlin, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

COMMUNICATIONS AND PETITIONS

Speaker Marks made the following appointments:

Coal Tax Oversight Committee:

Representative Tom Asay

Representative Dave Brown

Revenue Oversight Committee:

Representative Gerry Devlin

Representative John Harp

Representative Jack Ramirez

Representative Dan Harrington

Representative Nancy Keenan

Representative Mel Williams

Western States Legislative Forestry Task Force:

Representative Bernie Swift

Representative Bob Ream

Committee on Indian Affairs:

Representative Marian Hanson

Representative Jerry Nisbet

MESSAGES FROM THE OTHER HOUSE

SB 3, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, failed to pass the Senate with the following vote:

4/23/87

Senate	
YEAS -	29
NAYS -	20

House	
YEAS -	52
NAYS -	48

House bill concurred in and returned to the House:

4/23/87

HJR 60, introduced by Strizich

House amendments to Senate bill concurred in:

4/23/87

SB 228, introduced by Van Valkenburg

Conference committee report rejected:

4/23/87

SJR 14, free conference committee report

Conference committee reports adopted:

4/23/87

HB 2, free conference committee report

HB 706, free conference committee report

ANNOUNCEMENTS

Speaker Marks thanked this week's pages for their services and introduced them as follows:

Stacey Aiken, Valier
 Stan Ozark, Nashua
 Jannie Tranel, Broadview
 Blake Bratt, Somers
 Elizabeth Steffan, Bridger
 James Block, Missoula
 Anja Backstrom, Finland
 Leigh Bellers, Billings
 Shelly Winslow, Billings

Representative Hannah moved that the House adjourn sine die.

Motion carried.

House adjourned at 3:43 a.m.

Bob Marks, Speaker

Bobby Spilker, Chief Clerk

ADDENDUM TO THE HOUSE JOURNAL

COMMUNICATIONS AND PETITIONS

Speaker Marks made the following appointments to the Energy Policy Committee:

Representative Marks (by statute)
 Representative Menke (by appointment)

Speaker Marks made the following appointments to the Water Policy Committee:

Representative Bradley
 Representative Iverson
 Representative Marks
 Representative Spaeth

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

Delivered to the Governor for his approval at 11:19 a.m.: HB 102, HB 206, HB 233, HB 241, HB 252, HB 277, HB 459, HB 460, HB 583, HB 623, HB 658, HB 721, HB 796, HB 861, HB 867.

4/28/87

Correctly enrolled: HB 39, HB 570, HB 727, HB 776, HB 889, HB 904, HJR 51, HJR 56, HJR 57, HJR 58, HJR 59, HJR 60.

Signed by the Speaker at 1:15 p.m.: HB 39, HB 570, HB 727, HB 776, HB 889, HB 904, HJR 51, HJR 56, HJR 57, HJR 58, HJR 59, HJR 60.

4/29/87

Correctly enrolled: HB 2, HB 123, HB 256, HB 754, HB 884.

Signed by the Speaker at 1:30 p.m.: HB 123, HB 256, HB 754, HB 884.

4/30/87

Signed by the Speaker at 2:00 p.m.: HB 2.

5/1/87

Delivered to the Governor for his approval at 1:28 p.m.: HB 2, HB 39, HB 123, HB 256, HB 570, HB 727, HB 754, HB 776, HB 884, HB 889, HB 904.

MESSAGES FROM THE GOVERNOR

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 24, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 84, 252, 325, 621, and 873 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

April 24, 1987

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill No. 274, "AN ACT ALLOWING LOCAL GOVERNMENT ENTITIES TO RESTRICT PUBLICATION OF AUDIT REPORTS TO A SUMMARY OF SIGNIFICANT FINDINGS AND A STATEMENT THAT THE REPORT IS ON FILE AND OPEN TO PUBLIC INSPECTION; AND AMENDING SECTION 2-7-521, MCA."

Regular, full disclosure of local government audit reports is the best guarantee our citizens have of their constitutional right to know. Article II, Section 9, of the Montana Constitution states:

No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions, except in case in which the demand of individual privacy clearly exceeds the merits of public disclosure.

While SB 274 allows public inspection of full audit reports, it unnecessarily hinders access of citizens to information relative to the actions of their local government officials, thereby reducing a constitutional right to a bureaucratic hassle.

Proponents of SB 274 correctly argue that requiring local governments to publish only summaries of audit reports, instead of full reports, would reduce local government spending. In my opinion, the incidental costs of full disclosure are a small price to pay for continued protection of the public's right to know.

For these reasons, I hereby veto SB 274.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

April 27, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 163, 326, 436, 442, 567, 581, 586, 627, 666, 697, 703, 743, 752, 816, 837, 864, 867, 870, and 880 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

May 11, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 102, 206, 241, 256, 277, 459, 460, 570, 583, 623, 658, 727, 754, 796, and 861 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

May 13, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 776 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

May 15, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 39 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

May 19, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bill No. 233 on this date.

Sincerely,

George Turman
Acting Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

May 22, 1987

Dear Speaker Marks:

This is to inform you that I signed House Bills No. 123, 884, 889, and 904 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable Robert Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

May 22, 1987

Dear Representative Marks and Senator Norman:

In accordance with the power vested in me as Governor by Article VI, Section 10(5) of the Montana Constitution and the laws of the State of Montana, I hereby veto a portion of House Bill No. 2, "THE GENERAL APPROPRIATIONS ACT OF 1987 FOR THE APPROPRIATION OF MONEY TO VARIOUS STATE AGENCIES FOR THE BIENNIUM ENDING JUNE 30, 1989; AND PROVIDING FISCAL YEAR 1987 SUPPLEMENTAL APPROPRIATIONS TO FUND IMPLEMENTATION COSTS OF LEGISLATION ENACTED BY THE 50TH LEGISLATURE." The paragraph vetoed is contained in the reference copy that contains Free Conference Committee Reports 1 and 2 on page C-10 beginning on line 7 and continuing through line 10: "IF THIS ACT AND HOUSE BILL 599 ARE BOTH PASSED AND APPROVED, THE \$100,000 APPROPRIATION PROVIDED IN SECTION 1 OF HOUSE BILL 599 IS VOID AND THE DEPARTMENT OF FISH, WILDLIFE AND PARKS SHALL TRANSFER \$150,000 TO THE UNIVERSITY OF MONTANA. THE FUNDS SO TRANSFERRED ARE APPROPRIATED FOR THE USE OF THE BIOLOGICAL STATION AT YELLOW BAY FOR THE PURPOSES OF HOUSE BILL 599."

I am vetoing this paragraph of HB 2 because it could cost the state \$5 million of federal funds each year. Federal law and regulations prevent

states that divert their license fees to program unrelated to fish and wildlife management from receiving federal funds under the Wildlife Restoration Act and the Sport Fish Act. These are important funding sources for the programs the Department of Fish, Wildlife and Parks provide for Montana sportsmen and wildlife. The U.S. Fish and Wildlife Service, Department of Interior, has reviewed this section of HB 2 and, in a written opinion, has stated that the transfer of funds to Yellow Bay Experiment Station would likely be ruled a diversion, making Montana ineligible for up to \$5 million a year in federal funds.

Veto of this paragraph will not endanger the funding of the Yellow Bay Experiment Station. HB 599, which was passed by wide margins and which I have already signed, appropriates funds to the station. However, the Free Conference Committee on HB 2 attempted to lower general fund expenditures by the making the appropriation in HB 599 void and substituting license fees transferred from the Department of Fish, Wildlife and Parks. While the Department can ensure that the \$50,000 in license fees granted to the station under HB 599 will be used for federally allowed purposes and therefore avoid the risk of the diversion penalty, that is not the case with the language in HB 2. Transferring \$150,000 from license fees to the station for equipment and administrative expenses to supplement general funds creates a serious risk of penalty and loss of federal funds.

Taking a chance on losing \$10 million of federal funding over the biennium in order to "save" \$100,000 in general funds is not worth the risk to the fish and wildlife programs that benefit thousands of Montana sportsmen and draw so many out-of-state visitors. For this reason, I veto this paragraph of HB 2.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE SECRETARY OF STATE

The Honorable Bill Norman
President of the Senate
State Capitol
Helena, Montana 59620

May 29, 1987

The Honorable Bob Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Norman and Representative Marks:

Please find attached a photocopy of the results of the poll, completed at 5 p.m., May 28, 1987, on the proposed override of Governor Schwinden's veto of Senate Bill 274.

The final totals are:

Senators In Favor	26	Opposed	22	Not Voting	2
Representatives In Favor	46	Opposed	47	Not Voting	7

If you should need anything further on this matter please do not hesitate to contact me.

Sincerely,

Jim Waltermire

Ayes: Bradley, D. Brown, Compton, Darko, Donaldson, Ellison, Eudaily, Fritz, Giacometto, Gilbert, Gould, Hannah, Hanson, Hayne, Iverson, Jones, Kadas, Kennerly, Kitselman, Lory, Menahan, Menke, Meyers, Moore, Nisbet, O'Connell, Pavlovich, Peterson, Pistoria, Poff, Poulsen, Ramirez, Rapp-Svrcek, Rehberg, Roth, Sales, Sands, Simon, Smith, Stratford, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 46

Noes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Corne', Daily, DeMars, Devlin, Driscoll, Grady, Grinde, Hansen, Harper, Harrington, Holliday, Keenan, Keller, Koehnke, McCormick, Manuel, Mercer, Miles, Miller, Nathe, Nelson, Patterson, Peck, Phillips, Raney, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Swysgood, Vincent, Whalen, Williams, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: Addy, Bulger, Glaser, Harp, Hoffman, Jenkins, Quilici.

Total 7

The Honorable Bill Norman

June 25, 1987

President of the Senate

440 Connell

Missoula, Montana 59801

The Honorable Bob Marks

Speaker of the House

302 Lump Gulch

Clancy, Montana 59634

Dear Senator Norman and Representative Marks:

Please find attached a photocopy of the results of the poll, completed at 5 p.m., June 24, 1987, on the proposed override of Governor Schwinden's veto of Senate Bill 103.

The final totals are:

Senators In Favor	27	Opposed	20	Not Voting	3
Representatives In Favor	47	Opposed	43	Abstained	2
				Not Voting	8

If you should need anything further on this matter please do not hesitate to contact me.

Sincerely,

Jim Waltermire

Ayes: Asay, Brandewie, Campbell, Compton, DeMars, Devlin, Donaldson, Eudaily, Gilbert, Gould, Grady, Grinde, Hannah, Hanson, Harp, Hayne, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Menke, Mercer, Meyers, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Poulsen, Ramirez, Rehberg, Roth, Sands, Simon, Smith, Stratford, Swift, Switzer, Swysgood, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 47

Noes: Addy, Bachini, Bardanouve, Bradley, J. Brown, Bulger, Cobb, Cody, Cohen, Connelly, Corne', Darko, Driscoll, Fritz, Hansen, Harper, Harrington, Holliday, Kadas, Keenan, Kennerly, McCormick, Manuel,

Menahan, Miles, Miller, Moore, Nisbet, O'Connell, Pavlovich, Peck, Raney, Rapp-Svrcek, Ream, Russell, Schye, Spaeth, Squires, Stang, Strizich, Vincent, Whalen, Williams.

Total 43

Excused: None.

Total 0

Absent or not voting: D. Brown, Daily, Ellison, Giacometto, Glaser, Hoffman, Iverson, Poff, Quilici, Sales.

Total 10

2144 3404



